

AUG 23 2007



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM                      Planning and Development – CC Memo No. 07-191b**

**DATE:**            AUGUST 23, 2007

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER  
                         DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR  
                         JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR  
                         BOB WEWORSKI, PLANNING MANAGER

**FROM:**            BILL DERMODY, CITY PLANNER

**SUBJECT:**        DVR07-0009/PPT07-0032 AZ 202  
                         Introduction and tentative adoption of Ordinance No. 3951

In response to discussion during Monday's study session, the following condition is offered for the Council's consideration:

22. Any "late hour business", as defined by the Late Hour Businesses Compatibility Policy (Resolution No. 3801), is prohibited within the areas identified by the Policy at the time the business lawfully commences operation unless and until a Use Permit allowing such late hour business has been issued upon approval of the City Council and upon recommendation of the Planning Commission.

The applicant is in agreement with the additional condition. This condition effectively withdraws the request for Late Hour Business approval in the areas affected by the Policy. Only the westernmost 300 feet of the subject site is affected by the Policy because the only adjacent residentially zoned land not separated by an arterial street or freeway is located in that direction.

Update # 8  
Ord AUG 23 2007

**ORDINANCE NO. 3951**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) TO PAD AMENDED (DVR07-0009 AZ 202) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

**SECTION I. Legal Description of Property:**

See Attachment 'A'

Said parcel is hereby rezoned from Planned Area Development (PAD) to PAD Amended subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The

aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
7. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "AZ 202", kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0009, except as modified by condition herein.
8. Approval by the Director of Planning and Development of plans for landscaping and perimeter walls and the Director of Public Works for arterial street median landscaping.
9. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
10. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made

against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the Able Engineering development shall use treated effluent to maintain open space, common areas, and landscape tracts.

11. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
12. Palm trees and associated landscaping shall be provided in the medians adjacent to the project near the intersection of Pecos Road and Arizona Avenue. The landscape design shall be consistent with the median landscaping at the intersection of Chandler Boulevard and Arizona Avenue.
13. Additional shade trees shall be placed in the central fountain area in order to enhance comfort for the pedestrian-oriented seating areas.
14. Any patio additions to Retail Shops B, C, or D or to Pad G must maintain generous public pedestrian spaces and pedestrian pathways of at least six feet in width.
15. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
16. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
17. Applicant will update the Category 1 Traffic Study and identify any necessary improvements to be made.
18. The median break at the driveway across from California Street must be left-in only access, in accordance with City of Chandler Standard Detail No. C-226 as amended to address safety concerns.

19. The applicant shall work with staff to provide stronger pedestrian connections from Pads A, B, C, and D to the site's center and between the pads.
20. All ground-mounted equipment shall be painted to match adjacent buildings and screened from view.
21. An easement not to exceed 12' in width shall be provided along the southeastern property boundary along Arizona Avenue in order to aid future road construction by others at the Arizona Avenue/Loop 202 Santan Freeway interchange. The developer and future land owners shall not be responsible for said construction or associated relocation of site elements.
22. Any "late hour business", as defined by The Compatibility Policy for Late Hour Businesses (Resolution No. 3801), is prohibited within the areas identified by the Policy at the time the business lawfully commences operation unless and until a Use Permit allowing such late hour business has been issued upon approval of the City Council and upon recommendation of the Planning Commission.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3951 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, and that a quorum was present thereat.

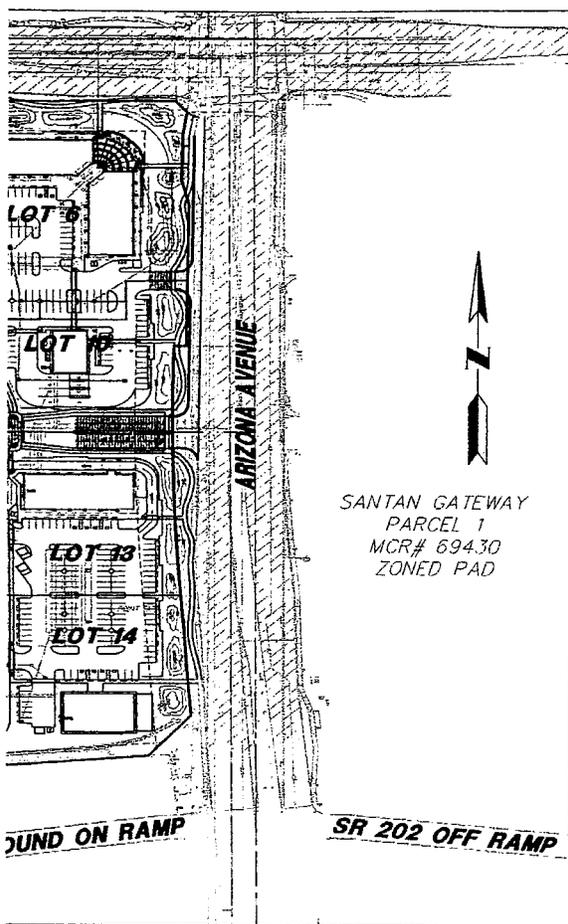
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY GAB

PUBLISHED:

**AT**  
**LOT 1**  
**RANGE 5 EAST,**  
**MERIDIAN,**



**LEGAL DESCRIPTION**

LOT 1, SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
 EXCEPT THE NORTH 33.00 FEET; AND  
 EXCEPT THE EAST 33.00 FEET; AND  
 EXCEPT THE EAST 45.00 FEET OF THE NORTH 63.00 FEET OF LOT 1, SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
 EXCEPT THE NORTH 33.00 FEET; AND  
 EXCEPT THE EAST 33.00 FEET; AND  
 EXCEPT THAT PORTION OF LOT 1, SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID SECTION 4;  
 THENCE SOUTH 00 DEGREES 22 MINUTES 27 SECONDS EAST, 33.03 FEET ALONG THE EAST LINE OF SAID SECTION 4;  
 THENCE DEPARTING SAID EAST LINE SOUTH 89 DEGREES 37 MINUTES 33 SECONDS WEST, 45.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF ARIZONA AVENUE AND THE POINT OF BEGINNING;  
 THENCE SOUTH 00 DEGREES 22 MINUTES 27 SECONDS EAST, 30.00 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE;  
 THENCE NORTH 89 DEGREES 35 MINUTES 18 SECONDS EAST, 12.00 FEET;  
 THENCE SOUTH 00 DEGREES 22 MINUTES 27 SECONDS EAST, 1400.77 FEET TO THE SOUTH LINE OF SAID LOT 1;  
 THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY SOUTH 89 DEGREES 04 MINUTES 50 SECONDS WEST, 13.24 FEET ALONG SAID SOUTH LINE OF LOT 1;  
 THENCE DEPARTING SAID SOUTH LINE NORTH 04 DEGREES 21 MINUTES 47 SECONDS WEST, 537.40 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 3884.72 FEET;  
 THENCE NORTHERLY 339.29 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05 DEGREES 00 MINUTES 15 SECONDS;  
 THENCE NORTH 00 DEGREES 38 MINUTES 28 SECONDS EAST, 311.49 FEET;  
 THENCE NORTH 14 DEGREES 44 MINUTES 07 SECONDS WEST, 41.48 FEET;  
 THENCE NORTH 00 DEGREES 38 MINUTES 28 SECONDS EAST, 75.00 FEET;  
 THENCE NORTH 08 DEGREES 15 MINUTES 17 SECONDS EAST, 83.03 FEET;  
 THENCE NORTH 44 DEGREES 53 MINUTES 07 SECONDS WEST, 42.03 FEET;  
 THENCE SOUTH 89 DEGREES 35 MINUTES 18 SECONDS WEST, 87.09 FEET;  
 THENCE NORTH 84 DEGREES 42 MINUTES 04 SECONDS WEST, 100.50 FEET;  
 THENCE NORTH 88 DEGREES 24 MINUTES 25 SECONDS WEST, 200.12 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PECOS ROAD;  
 THENCE NORTH 89 DEGREES 35 MINUTES 18 SECONDS EAST, 454.98 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION OF LOT 1 OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING WEST OF THE EXISTING WEST RIGHT OF WAY LINE OF ARIZONA AVENUE AND SOUTH AND EAST OF THE FOLLOWING DESCRIBED LINE:  
 LINE DESCRIPTION:

**COMMENCING** AT A CITY OF CHANDLER (C.O.C.) BRASS CAP IN A HAND HOLE MARKING THE NORTHEAST CORNER OF SAID SECTION 4 FROM WHICH A C.O.C. BRASS CAP IN A HAND HOLE MARKING THE EAST QUARTER CORNER OF SAID SECTION 4 BEARS SOUTH 00 DEGREES 22 MINUTES 08 SECONDS EAST 2788.00 FEET;  
 THENCE ALONG THE NORTH LINE OF SAID SECTION 4, SOUTH 89 DEGREES 35 MINUTES 04 SECONDS WEST 16.97 FEET TO THE SURVEY CENTERLINE OF SAID ARIZONA AVENUE;  
 THENCE ALONG SAID SURVEY CENTERLINE OF ARIZONA AVENUE SOUTH 00 DEGREES 38 MINUTES 45 SECONDS WEST 514.56 FEET;  
 THENCE NORTH 89 DEGREES 21 MINUTES 15 SECONDS WEST 65.00 FEET TO SAID EXISTING WEST RIGHT OF WAY LINE OF ARIZONA AVENUE AND THE POINT OF BEGINNING FOR THIS LINE DESCRIPTION;  
 THENCE CONTINUING NORTH 89 DEGREES 21 MINUTES 15 SECONDS WEST 17.00 FEET;  
 THENCE SOUTH 00 DEGREES 38 MINUTES 45 SECONDS WEST 75.56 FEET;  
 THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3901.72 FEET, A LENGTH OF 340.77 FEET;  
 THENCE SOUTH 04 DEGREES 21 MINUTES 30 SECONDS EAST 71.09 FEET TO A POINT HEREINAFTER CALLED POINT "A";  
 THENCE CONTINUING SOUTH 04 DEGREES 21 MINUTES 30 SECONDS EAST 135.00 FEET;  
 THENCE SOUTH 39 DEGREES 46 MINUTES 12 SECONDS WEST 88.25 FEET;  
 THENCE SOUTH 84 DEGREES 46 MINUTES 14 SECONDS WEST 1169.47 FEET;  
 THENCE NORTH 65 DEGREES 15 MINUTES 24 SECONDS WEST 27.85 FEET;  
 THENCE SOUTH 84 DEGREES 46 MINUTES 04 SECONDS WEST 23.25 FEET;  
 THENCE SOUTH 53 DEGREES 46 MINUTES 53 SECONDS WEST 27.03 FEET;  
 THENCE SOUTH 84 DEGREES 46 MINUTES 14 SECONDS WEST 429.29 FEET;  
 THENCE NORTH 89 DEGREES 14 MINUTES 08 SECONDS WEST 833.05 FEET TO THE POINT OF ENDING ON THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 4 BEING SOUTH 00 DEGREES 55 MINUTES 16 SECONDS EAST 1325.07 FEET FROM A BRASS CAP IN A HANDHOLE MARKING THE NORTH QUARTER CORNER OF SAID SECTION 4;

EXCEPT THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID SECTION 4, SAID CORNER BEING MONUMENTED WITH A BRASS CAP IN HAND HOLE;  
 THENCE SOUTH 89 DEGREES 35 MINUTES 03 SECONDS WEST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1326.02 FEET TO THE NORTHWEST CORNER OF GLO LOT 1 OF SAID SECTION 4, SAID CORNER BEING MONUMENTED WITH A BRASS CAP FLUSH;  
 THENCE SOUTH 00 DEGREES 39 MINUTES 09 SECONDS EAST, ALONG THE WEST LINE OF SAID GLO LOT 1 A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING;  
 THENCE NORTH 89 DEGREES 35 MINUTES 03 SECONDS EAST, PARALLEL WITH AND 33.00 FEET SOUTH OF SAID NORTH LINE A DISTANCE OF 825.88 FEET TO THE MOST WESTERLY CORNER OF THAT CERTAIN PARCEL DESCRIBED IN INSTRUMENT 97-0044507, RECORDS OF SAID COUNTY;  
 THE NEXT FIVE CALL FOLLOW THE BOUNDARY OF SAID CERTAIN PARCEL;  
 THENCE SOUTH 88 DEGREES 24 MINUTES 40 SECONDS EAST, A DISTANCE OF 200.12 FEET;  
 THENCE SOUTH 84 DEGREES 42 MINUTES 19 SECONDS EAST, A DISTANCE OF 100.49 FEET;  
 THENCE NORTH 89 DEGREES 35 MINUTES 03 SECONDS EAST, A DISTANCE OF 87.09 FEET;  
 THENCE SOUTH 44 DEGREES 53 MINUTES 22 SECONDS EAST, A DISTANCE OF 42.03 FEET;  
 THENCE SOUTH 08 DEGREES 15 MINUTES 02 SECONDS WEST, A DISTANCE OF 43.13 FEET;  
 THENCE DEPARTING SAID BOUNDARY OF CERTAIN PARCEL NORTH 41 DEGREES 04 MINUTES 57 SECONDS WEST, A DISTANCE OF 24.56 FEET;  
 THENCE SOUTH 89 DEGREES 35 MINUTES 03 SECONDS WEST, PARALLEL WITH AND 104.00 FEET SOUTH OF SAID NORTH LINE A DISTANCE OF 307.60 FEET;  
 THENCE NORTH 00 DEGREES 24 MINUTES 58 SECONDS WEST, A DISTANCE OF 10.00 FEET;  
 THENCE SOUTH 89 DEGREES 35 MINUTES 03 SECONDS WEST, PARALLEL WITH AND 94.00 FEET SOUTH OF SAID NORTH LINE A DISTANCE OF 149.80 FEET;  
 THENCE NORTH 89 DEGREES 16 MINUTES 03 SECONDS WEST, A DISTANCE OF 762.47 FEET TO A POINT ON SAID WEST LINE OF GLO LOT 1;  
 THENCE NORTH 00 DEGREES 39 MINUTES 09 WEST, ALONG SAID WEST LINE A DISTANCE OF 45.72 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH:  
 A PORTION OF LOT 2 OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID LOT 2;  
 THENCE SOUTH 00 DEGREES 16 MINUTES 39 SECONDS WEST (SOUTH 00 DEGREES 16 MINUTES 20 SECONDS WEST, RECORD), ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF PECOS ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING;  
 THENCE CONTINUING SOUTH 00 DEGREES 16 MINUTES 39 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 1316.88 FEET TO A POINT;  
 THENCE NORTH 89 DEGREES 29 MINUTES 05 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 1319.72 FEET (1320.40 FEET, RECORD) TO A POINT ON THE WEST LINE OF SAID LOT 2, (SAID WEST LINE ALSO BEING THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 4);  
 THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 1316.91 FEET TO A POINT ON THE AFOREMENTIONED SOUTH RIGHT OF WAY LINE OF PECOS ROAD;  
 THENCE SOUTH 89 DEGREES 29 MINUTES 05 SECONDS EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1325.70 FEET (1325.74 FEET, RECORD), TO THE TRUE POINT OF BEGINNING;

EXCEPT THE WEST 890.00 FEET, AS MEASURED ALONG THE NORTH LINE THEREOF; AND ALSO EXCEPT THAT PORTION LYING SOUTH OF THE NORTH LINE OF PROPERTY DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED AS 2004-1080917 OF OFFICIAL RECORDS; AND ALSO EXCEPT THAT PORTION TAKEN BY FINAL ORDER OF CONDEMNATION RECORDED AS 2004-1228051 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THAT PORTION OF GLO LOT 2 OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
**COMMENCING** AT THE NORTHEAST CORNER OF SAID LOT 2, SAID CORNER BEING MONUMENTED WITH A BRASS CAP FLUSH;  
 THENCE SOUTH 00 DEGREES 39 MINUTES 09 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING;  
 THENCE CONTINUING SOUTH 00 DEGREES 39 MINUTES 09 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 45.72 FEET;  
 THENCE NORTH 89 DEGREES 16 MINUTES 03 SECONDS WEST, A DISTANCE OF 435.10 FEET TO A POINT ON THE EAST LINE OF STONEBRIDGE RANCH APARTMENTS ACCORDING TO BOOK 595 OF MAPS, PAGE 18, RECORDS OF SAID COUNTY;  
 THENCE NORTH 00 DEGREES 55 MINUTES 20 SECONDS WEST, ALONG SAID EAST LINE A DISTANCE OF 37.00 FEET;  
 THENCE NORTH 89 DEGREES 35 MINUTES 03 SECONDS EAST PARALLEL WITH AND 33.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 435.15 FEET TO THE TRUE POINT OF BEGINNING; AND  
 EXCEPT ALL MINERALS, COAL, CARBONS, HYDROCARBONS, OIL, GAS, CHEMICAL ELEMENTS AND COMPOUNDS, WHETHER IN SOLID, LIQUID OR GASEOUS FORMS, AND ALL STEAM AND OTHER FORMS OF THERMAL ENERGY ON, IN OR UNDER THE LAND AS RESERVED BY PROPERTY RESERVE ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY IN DEED RECORDED OCTOBER 10, 2006 AS 06-1336201 OF OFFICIAL RECORDS.

Add info # 8

AUG 23 2007



**Chandler · Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**

**Planning and Development – CC Memo No. 07-191a**

**DATE:** AUGUST 17, 2007

**TO:** MAYOR AND CITY COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER  
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR  
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR  
BOB WEWORSKI, PLANNING MANAGER

**FROM:** BILL DERMODY, CITY PLANNER

**SUBJECT:** DVR07-0009/PPT07-0032 AZ 202  
Introduction and tentative adoption of Ordinance No. 3951

Staff recommends the following additional condition in order to address an outstanding traffic concern:

21. An easement not to exceed 12' in width shall be provided along the southeastern property boundary along Arizona Avenue in order to aid future road construction by others at the Arizona Avenue/Loop 202 Santan Freeway interchange. The developer and future land owners shall not be responsible for said construction or associated relocation of site elements.

The applicant is in agreement with the additional condition.

# 8

AUG 23 2007



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**

**Planning and Development – CC Memo No. 07-191**

**DATE:** AUGUST 7, 2007

**TO:** MAYOR AND CITY COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER  
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR  
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR  
BOB WEWORSKI, PLANNING MANAGER

**FROM:** BILL DERMODY, CITY PLANNER

**SUBJECT:** DVR07-0009/PPT07-0032 AZ 202  
Introduction and tentative adoption of Ordinance No. 3951

**Request:** Rezoning from Planned Area Development (PAD) to PAD Amended with a mid-rise overlay for additional building height, as well as Preliminary Development Plan (PDP) and Preliminary Plat approval for an office, retail, and hotel development with late hour businesses

**Location:** Northwest corner of Arizona Avenue and the Loop 202 Santan Freeway

**Applicant:** Withey & Morris, PLC

**Owner:** Meridian West AZ/202 LLC

**Project Info:** Approximately 45.0 gross acres with two office buildings (four and six stories in height) totaling 361,414 square feet and 82,758 square feet of retail/restaurant/bank uses to be constructed in three phases

**RECOMMENDATION**

Planning Commission and Staff, finding consistency with the General Plan and the Pecos Plaza Area Plan, recommend approval subject to conditions.

## **BACKGROUND**

The application requests rezoning from Planned Area Development (PAD) to PAD Amended with a mid-rise overlay, Preliminary Development Plan (PDP), and Preliminary Plat approval for an office, retail, and hotel development with late hour businesses. The subject site is currently used for agriculture and is zoned for office, retail, and hotel/convention center uses. The rezoning is necessary in order to introduce a mid-rise overlay allowing heights of up to 120 feet.

The subject site is the last undeveloped quadrant of the Loop 202/Arizona Avenue interchange and occupies all of the agricultural land bounded by Arizona Avenue, Pecos Road, the Loop 202 San Tan Freeway, and the existing Stonebridge Ranch Apartment Complex. The other three interchange quadrants have been developed as retail power centers anchored by Wal-Mart, Sam's Club, and Kohl's. To the north across Pecos Road is an apartment complex along Arizona Avenue with single family homes to the west of it. The northeast corner of Arizona Avenue and Pecos is occupied by the Pecos Lounge bar.

The subject site received its existing PAD zoning in 1987 as part of a larger master plan that included the adjacent Stonebridge Ranch Apartment Complex. The zoning was extended in 1989 and was vested when the apartments were constructed in 2000. The western 12.8 acres of the subject site was the focus of a rezoning and Area Plan amendment request for a residential subdivision, Palm Lane, that was withdrawn in November 2006. In March 2006, an application for the eastern 32.5 acres of the subject site was filed (that never reached public hearings) to rezone it for a retail power center development. Subsequent to the Palm Lane withdrawal, ownership of the two halves was consolidated and the subject application was filed.

## **GENERAL PLAN/AREA PLAN CONFORMANCE**

The request is consistent with the General Plan, which designates the property as a Commercial Node. The proposed development is also part of the Pecos Plaza Area Plan bounded by Pecos Road, Alma School Road, Arizona Avenue, and the Loop 202 Santan Freeway. The Area Plan, originally approved in 1985 and amended in 1998, designates the subject site for corporate office, retail, and hotel uses with a significant pedestrian-oriented open space element. The request is consistent with the Pecos Plaza Area Plan.

## **SITE LAYOUT AND PHASING**

The approximate 45 acre site features an activity hub at its center with two office buildings, retail pads, and a future hotel site oriented around a large, circular, pedestrian-oriented fountain feature with associated landscaping and seating. The exterior of the site, along Pecos Road and Arizona Avenue, includes 10 retail/restaurant/bank pads that are placed in landscaped settings and/or clustered around site entrances. The site's southwestern end also includes a three-story parking garage and a future commercial site.

A curved driveway connects the main entrance from Arizona Avenue to the main entrance from Pecos Road via the central activity hub and fountain feature. The curved driveway also provides efficient direct access to the parking garage from either street. A second major entrance from Pecos Road leads south to and terminates at the fountain feature.

The site provides a generous pedestrian plaza adjacent to the intersection of Arizona Avenue and Pecos Road between Retail Shops C and D. The plaza is connected to the central fountain feature via textured sidewalks with shaded bench features. Textured sidewalks are also placed throughout the project to facilitate pedestrian movement between the buildings as well as out to Arizona Avenue and Pecos Road.

The large central fountain feature includes pedestrian seating centered around a sculpture that replicates the project logo. The adjacent office buildings, Retail Shops B, and Pad G are at least partially oriented toward the fountain feature, lending to its status as an activity focus for the center. The future hotel site is also located adjacent to the fountain feature.

The project has three phases. Phase I includes five buildings on the site's eastern end: the four-story office building, Retail Shops A, Pad F, Retail Shops C, and Retail Shops D. Phase II includes the six-story office building, Retail Shops B, Pad A, Pad B, Pad C, Pad D, Pad E, Pad G, Pad H, and the parking garage. Phase III includes the conceptual hotel and commercial parcels, which must be approved through separate PDP's.

### **BUILDING ARCHITECTURE**

The four- and six-story office buildings feature glass, EIFS, and metal materials to create a striking, modern architectural style and entry statement for freeway traffic entering Downtown Chandler. The buildings, which have curved southern facades facing the freeway, provide substantial horizontal and vertical relief on all sides and incorporate a variety of forms and colors to create visual interest. Still, the architectural forms are interrelated in order to create a cohesive style, including through the use of substantial glass in multiple locations in both horizontal and vertical orientations with metal highlights, or the extension of striped EIFS columns at the buildings' bases to frame larger faux-picture window features.

The pad architecture draws from the office building elements by replicating many of the forms, colors, and materials to create a clean, simple style with less glass but otherwise similar levels of architectural details on a smaller scale. Architectural details include lighter-colored, sloped canopies atop the building parapets and darker-colored, flat metal canopies above the store windows and doors. The Shops C and D at the Pecos Road/Arizona Avenue intersection feature a winged metal canopy above the breezeway between the shops that offers a strong visual connection to a similar feature on the office buildings in the site's center. Drive-throughs, which exist on four of the pad buildings, have columns and canopies that use materials and forms extended from the main buildings' architecture.

The three-story parking garage, with ingress and egress through the east side, relates to the office architecture by using similar materials and forms, including multi-tone EIFS columns combined with vertical metal highlights. Lighter-colored metal piers in two locations on the garage roof mimic a similar feature on the office buildings. Green screens are employed in several places on the ground floor to help further break up the garage's horizontal nature.

### **LANDSCAPING**

The landscaping includes a variety of trees and shrubs including Sissoo, Palo Brea, Fan-Tex Ash, Shoestring Acacia, Desert Museum Palo Verde, and Date Palms. With the availability of reclaimed water, the Arizona Avenue and Pecos Road frontages include generous amounts of turf. The two main entrances from Pecos Road are lined with Date Palms and Ash trees as they lead to the central fountain feature. The main entrance from Arizona Avenue is depressed below grade in order to create an enhanced sense of arrival and includes special landscaping features, such as a landscape boulevard median accented with Date Palms and Ash trees, Date Palms lining both sides of the driveway, and an alternating combination of green screens and raised planters against the screen walls on both sides.

### **SIGNAGE**

The application requests approval for a comprehensive sign package that includes freeway pylon signs, monument signs, building wall signs, center identification signs, and interior site signage. The freeway pylon signs, monument signs, and center identification signs all use similar materials and colors, including a gray/tan color scheme, aluminum tenant panels and highlights, and masonry bases, that draw from the office building materials and their modernist style.

The application requests two, 65-foot high freeway pylon signs with four tenant panels each. This request is consistent with freeway signage at the other three quadrants of the freeway interchange, each of which has been approved for 65-foot high pylon signs with four tenant panels.

Four monument signs are proposed: two along Pecos Road and two along Arizona Avenue. One of the signs along Pecos Road and one along Arizona Avenue is 14 feet high with four tenant panels. The other two signs are 10 feet high with three tenant panels each. All monument signage features internally lighted, individual metal letters on a silver, perforated metal background for the tenant panels, with reverse pan-channel, halo-illuminated letters for the project name. The monument signs are placed in decorative planter bases.

The application proposes six project identification signs, including five located at the three main site entrances and one located adjacent to the intersection of Pecos Road and Arizona Avenue. The corner project identification sign is a 59-foot long, curved feature constructed of perforated metal panels that is incorporated into a water feature in front of the pedestrian plaza. The project name on the corner sign is constructed of individual metal and acrylic letters with halo and internal illumination. The other five project identification signs are smaller (five feet tall by 17 feet long) masonry signs, utilize halo or indirect ground lighting, and are incorporated into planter bases that frame the driveway entrances.

The application proposes three types of wall signage: pan-channel, internally illuminated individual letters; reverse pan-channel, halo-illuminated individual letters; and halo-illuminated, three-dimensional panels. One wall sign is allowed per retail tenant, per elevation. The offices allow signage only in one horizontal row below the top floors. All potential sign envelopes are illustrated in the Development Booklet.

The application also proposes internal site signage, including vehicular directional signs and six-foot monument signs for the offices and the conceptual hotel and commercial parcels. The signs' designs are consistent with the project's other monument signage.

### **PARKING**

The site provides adequate parking with 2,334 spaces compared to the code requirement of 2,139 spaces. Phase I also provides adequate parking with 941 spaces compared to the code requirement of 830 spaces. The office uses require one space per 200 square feet. The retail uses, which occupy almost 17 acres, require one space per 250 square feet. The Development Booklet uses different calculations and shared parking allotments in order to reach the same conclusion about parking requirements being fulfilled for each phase. The developer has also commissioned a parking analysis study that confirms each phase provides sufficient parking to satisfy demand, using Institute of Transportation Engineers guidelines for shared parking.

### **MID-RISE DEVELOPMENT POLICY CONFORMANCE**

The application requests approval of a mid-rise overlay to construct buildings over 45 feet in height. The proposed four- and six-story office buildings are 59 and 87 feet high, and future buildings could be up to 120 feet high (subject to separate PDP approval). Mechanical equipment and architectural embellishments do not count toward the overall building height.

Under the Mid-Rise Development Policy, the site is eligible for mid-rise consideration given its adjacency to the Loop 202 Santan Freeway and lack of planned or existing single-family residential development within 300 feet on the south side of Pecos Road.

Allowing mid-rise buildings at the subject location enhances the sustainability of this infill site and surrounding area by facilitating a cohesive, mixed-use employment center at a key freeway interchange near the redeveloping downtown. The high-quality office and mix of retail services proposed in this application are made possible by the density and height requested, as is the abundance of pedestrian-oriented open space. Furthermore, the buildings are designed so as to minimize the visual impact of their heights through substantial horizontal and vertical variation, curved walls, and creative massing of forms constructed of various building materials—they are not vertically-oriented monoliths. The mid-rise buildings help to create a positive identity for the project and for a key freeway interchange.

### **LATE HOUR BUSINESSES POLICY CONFORMANCE**

The application requests approval for late hour businesses in several of the retail pads and shops buildings. Since some of the buildings that could house late hour businesses are located within 300 feet of a residential use on the same side of Pecos Road, the Stonebridge Ranch Apartment Complex, the request is subject to consideration through the Late Hour Business Policy. In this case, the apartments are sandwiched between the Loop 202 Santan Freeway and Pecos Road, a major arterial. As such, late hour businesses are not anticipated to have a noticeable detrimental impact on adjacent properties with regard to noise, traffic, or other externalities. Also, the site is designed to mitigate such impacts with a dissimilar land use buffer along its western property line and an internal circulation system that routes most traffic away from the residential use.

## **DISCUSSION**

Planning Commission and Staff find that the proposed mixed-use development is an effective use of the final undeveloped quadrant of the Loop 202 Santan Freeway interchange with Arizona Avenue. Rather than risking over-saturation with another power center retail project, this office-oriented development provides a strong employment presence and enhances the area's sustainability. Additionally, the site plan incorporates a strong internal pedestrian element and allows for easy pedestrian access from downtown and the adjacent retail centers.

The project overcomes a large number of pads and drive-through uses to provide a strong sense of arrival with its pedestrian plaza at the intersection of Pecos Road and Arizona Avenue, and through its dramatically landscaped main entrances. Though the multitude of drive-through uses (four) precludes placing many of the pads in fully landscaped settings, this has been overcome to a great extent through additional treatments at the main entrances, including green screens, raised planter pots, extra ground landscaping, and, at the main Arizona Avenue entrance, a sunken driveway. Additionally, the use of Date Palms helps create a dramatic experience for those entering the site. The main entrances and the pedestrian plaza are well connected to the central fountain feature, which serves to further develop a unique "sense of place" within the project.

Construction is expected to commence in early 2008.

## **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- The request was noticed in accordance with the requirements of the Chandler Zoning Code, including that property owners within ¼ mile and Registered Neighborhood Organizations within ½ mile were notified by mail.
- Three neighborhood meetings were conducted at the Downtown Chandler Community Center on March 13, April 10, and May 1, 2007. One person attended the first meeting to ask general questions. Three people attended the second meeting to ask general questions and express support for the taller buildings being located closer to the Loop 202 Santan Freeway. Nobody attended the third meeting.
- At the time of this writing, Staff is not aware of any opposition to this request.

## **PLANNING COMMISSION VOTE REPORT**

Motion to approve.

In Favor: 4    Opposed: 1 (Cason)    Absent: 2 (Irby, Anderson)

Planning Commission discussed whether this project is providing enough office square footage to take advantage of an opportunity to be a major employment base in the downtown area—the conclusions drawn are reflected in the votes. Commission questioned whether there are sufficient pedestrian connections, both within the site and from the site's activity center to downtown, thereby leading to Condition No. 19. Commission also added Condition No. 20 to address concerns about ground equipment aesthetics. Several Commissioners expressed strong overall support for the project and its office-oriented, mixed-use concept and design.

**RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and the Pecos Plaza Area Plan, recommend approval of DVR07-0009/PPT07-0032 AZ 202 subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
7. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "AZ 202", kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0009, except as modified by condition herein.
8. Approval by the Director of Planning and Development of plans for landscaping and perimeter walls and the Director of Public Works for arterial street median landscaping.
9. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

10. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the above referenced development shall use treated effluent to maintain open space, common areas, and landscape tracts.

11. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
12. Palm trees and associated landscaping shall be provided in the medians adjacent to the project near the intersection of Pecos Road and Arizona Avenue. The landscape design shall be consistent with the median landscaping at the intersection of Chandler Boulevard and Arizona Avenue.
13. Additional shade trees shall be placed in the central fountain area in order to enhance comfort for the pedestrian-oriented seating areas.
14. Any patio additions to Retail Shops B, C, or D or to Pad G must maintain generous public pedestrian spaces and pedestrian pathways of at least six feet in width.
15. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
16. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

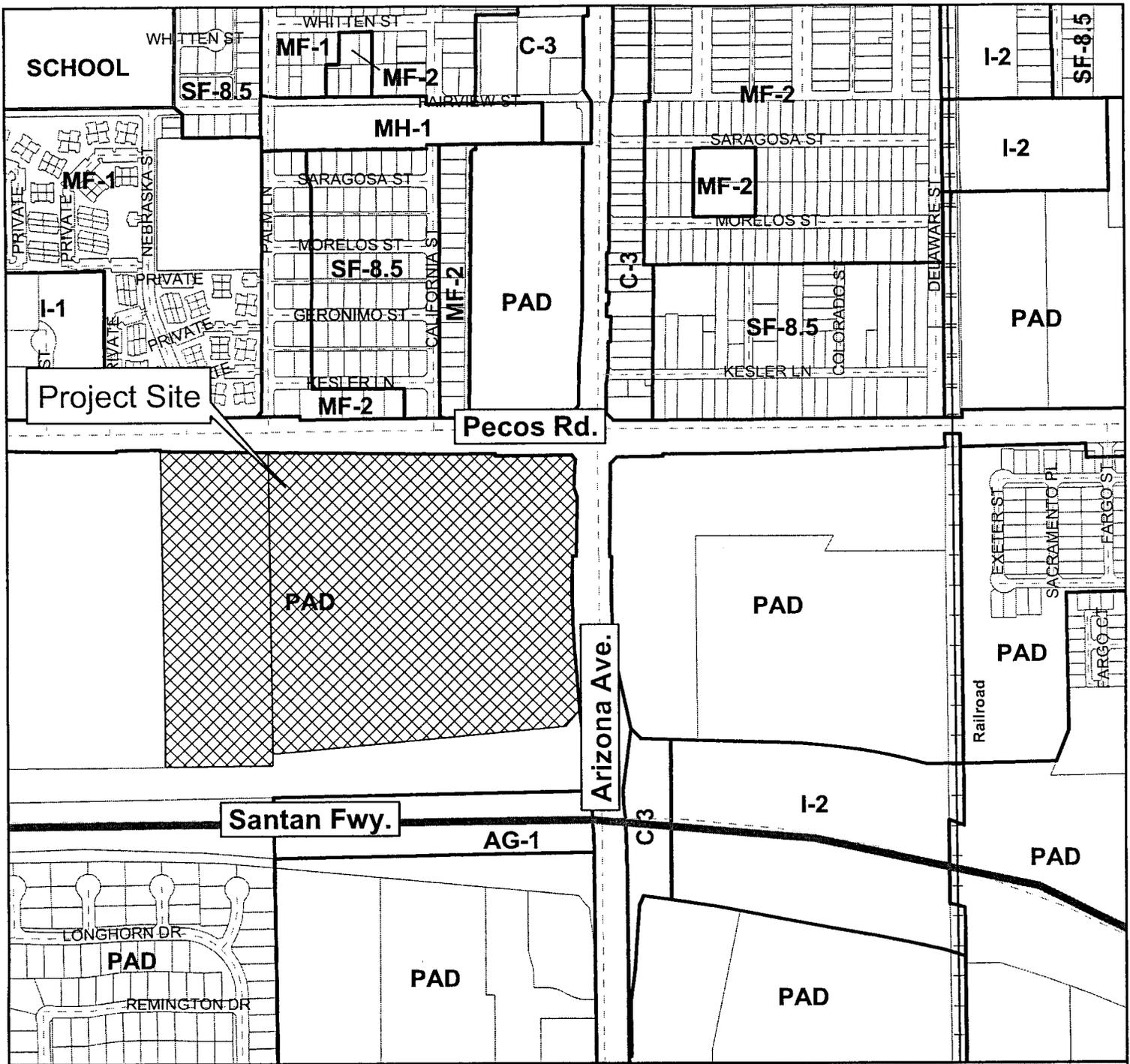
17. Applicant will update the Category 1 Traffic Study and identify any necessary improvements to be made.
18. The median break at the driveway across from California Street must be left-in only access, in accordance with City of Chandler Standard Detail No. C-226 as amended to address safety concerns.
19. The applicant shall work with staff to provide stronger pedestrian connections from Pads A, B, C, and D to the site's center and between the pads.
20. All ground-mounted equipment shall be painted to match adjacent buildings and screened from view.

**PROPOSED MOTION**

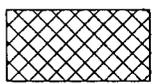
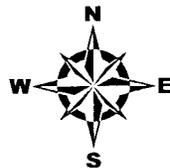
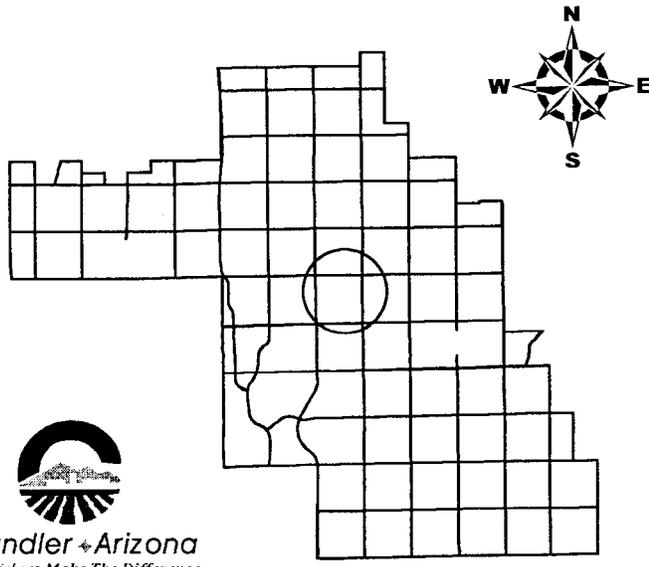
Move to introduce and tentatively adopt Ordinance No. 3951 approving Planned Area Development zoning, Preliminary Development Plan, and Preliminary Plat in case DVR07-0009/PPT07-0032 AZ 202 subject to the conditions recommended by Planning Commission and Staff.

**Attachments:**

1. Vicinity Map
2. Development Booklet
3. Site Plan
4. Phasing Plan
5. Landscape Plan
6. Building Elevations
7. Perspective Views
8. Sign Exhibits
9. Preliminary Plat
10. Pecos Plaza Area Plan
11. Mid-Rise Development Policy
12. Late Hour Business Policy
13. Ordinance No. 3951



**Vicinity Map**



DVR07-0009

Arizona 202



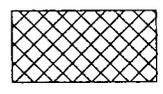
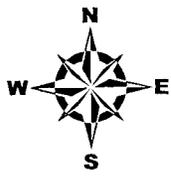
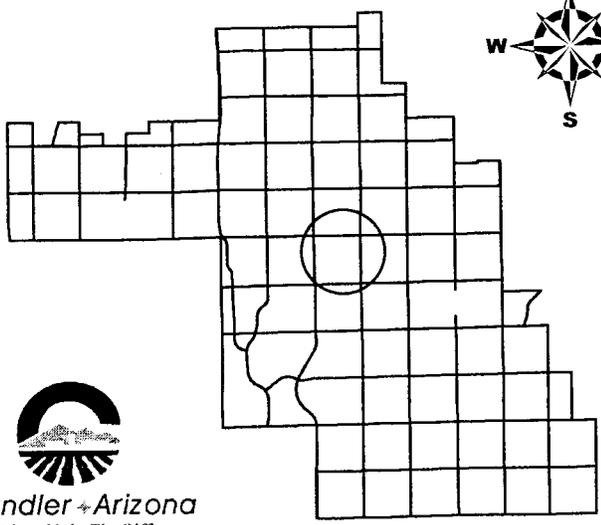
Project Site

Pecos Rd.

Arizona Ave.

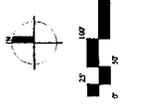
Santan Fwy.

# Vicinity Map



DVR07-0009

Arizona 202



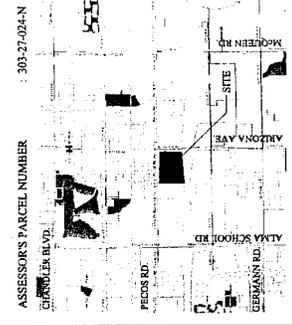
**SITE DATA**

NET SITE AREA : 1,954,791 S.F.  
 (44.87 ACRES)  
 BUILDING AREA : 444,172 GSF  
 GROUND FLR. BUILDING AREA : 148,640 GSF  
 % COVERAGE (N.I.C. GARAGE) : 7.6%  
 F.A.R. : .23  
 MULTI STORY OFFICE = 361,614 GSF  
 RESTAURANT PADS = 42,000 GSF  
 SHOPS = 32,448 GSF  
 BANKS = 8,310 GSF  
 RETAIL/PAD/DRAIN OVERALL PKG = 640 SPACES PROV.  
 OFFICE OVERALL PKG = 1694 SPACES PROV.  
 7737 / 1000 (GSF)  
 4.69 / 1000 (GSF)  
 \* SHARED  
 186 SPACES  
 106 SPACES  
 5.00 / 1000 (GSF)

**OWNER INFORMATION**

MERIDIAN WEST  
 1400 N. AZ AVENUE  
 SUITE 377  
 CONTACT: GREG GIBENKO

**VICINITY MAP**



DATE: 01/10  
 DRAWING NUMBER: 0605  
 (04/27/22)

**MASTER SITE PLAN**

**SHOPS A**  
 SITE AREA : 64,245 SF (1.47 AC)  
 BLDG AREA : 8,918 SF (RET/REST)  
 LOT CVG. : 14%  
 PKG REQD : 1,000 -  
 49 SPACES  
 PKG PROVIDED : 53 SPACES

**SHOPS B**  
 SITE AREA : 40,537 SF (1.14 AC)  
 BLDG AREA : 8,508 SF (RET/REST)  
 LOT CVG. : 15%  
 PKG REQD : 5,51,000 -  
 45 SPACES  
 PKG PROVIDED : 43 SPACES

**SHOPS C & D**  
 SITE AREA : 162,268 SF (3.76 AC)  
 BLDG AREA : 12,040 SF (RET/REST)  
 LOT CVG. : 15%  
 PKG REQD : 5,51,000 -  
 45 SPACES  
 PKG PROVIDED : 43 SPACES

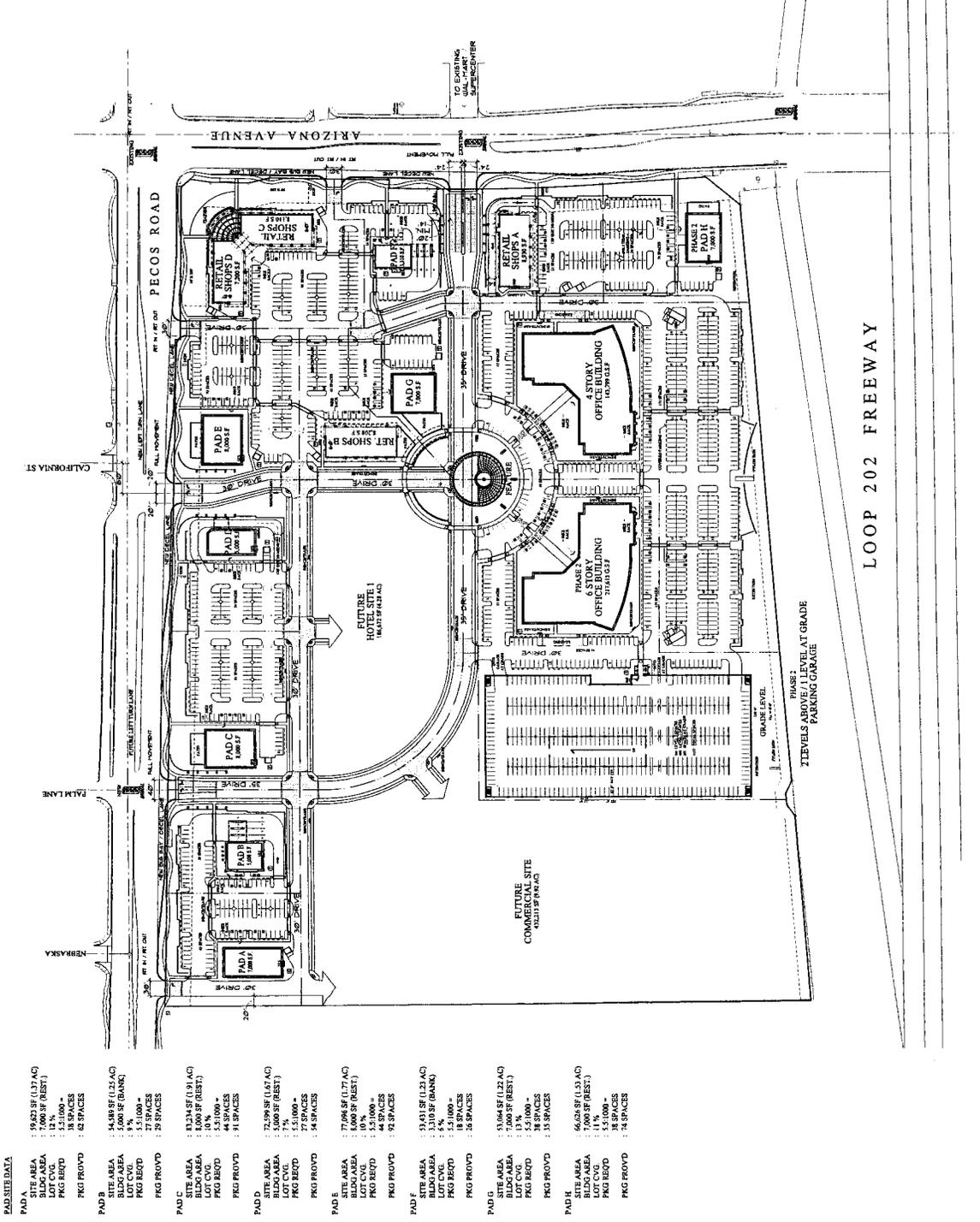
**OFFICE SITE DATA**  
 PHASE I OFFICE  
 SITE AREA : 280,304 SF (6.43 AC)  
 BLDG AREA : 239,000 GSF  
 LOT CVG. : 12%  
 PKG REQD : 1,200 - 718 SPACES (GARAGE)  
 PKG PROVIDED : 214 SPACES (TEMP. AD)  
 \* 411 SPACES  
 (4.25/1000 PER GSF)

**PHASE II OFFICE**  
 SITE AREA : 112,288 SF (2.59 AC)  
 BLDG AREA : 217,615 GROSS SF  
 LOT CVG. : 11% (12% INCL. GAR.)  
 PKG REQD : 1,137 SPACES (GARAGE)  
 PKG PROVIDED : 532/1000 PER GSF

**OFFICE TOTAL**  
 PKG REQD : 718 SPACES  
 \* 189 SPACES  
 (24.000 PER GSF)

**PKG PROVIDED**  
 611 SPACES (SURFACE)  
 1137 SPACES (GARAGE)  
 \* 1,048 SPACES (TEMP. AD)  
 (4.83/1000 PER GSF)

**SHARED PKG.**  
 114 SPACES (AT RETAIL)  
 186 SPACES (OFFICE)  
 (4.00/1000 PER GSF)



**PAD SITE DATA**

**PAD A**  
 SITE AREA : 19,628 SF (0.45 AC)  
 BLDG AREA : 7,000 SF (REST)  
 LOT CVG. : 12%  
 PKG REQD : 1,000 -  
 35 SPACES  
 PKG PROVIDED : 62 SPACES

**PAD B**  
 SITE AREA : 54,385 SF (1.25 AC)  
 BLDG AREA : 5,000 SF (BANK)  
 LOT CVG. : 10%  
 PKG REQD : 5,51,000 -  
 27 SPACES  
 PKG PROVIDED : 29 SPACES

**PAD C**  
 SITE AREA : 83,248 SF (1.91 AC)  
 BLDG AREA : 8,500 SF (REST)  
 LOT CVG. : 10%  
 PKG REQD : 5,51,000 -  
 44 SPACES  
 PKG PROVIDED : 41 SPACES

**PAD D**  
 SITE AREA : 75,048 SF (1.71 AC)  
 BLDG AREA : 8,200 SF (REST)  
 LOT CVG. : 7%  
 PKG REQD : 5,51,000 -  
 44 SPACES  
 PKG PROVIDED : 54 SPACES

**PAD E**  
 SITE AREA : 77,065 SF (1.77 AC)  
 BLDG AREA : 8,000 SF (REST)  
 LOT CVG. : 10%  
 PKG REQD : 5,51,000 -  
 44 SPACES  
 PKG PROVIDED : 52 SPACES

**PAD F**  
 SITE AREA : 53,431 SF (1.22 AC)  
 BLDG AREA : 3,310 SF (BANK)  
 LOT CVG. : 10%  
 PKG REQD : 5,51,000 -  
 18 SPACES  
 PKG PROVIDED : 28 SPACES

**PAD G**  
 SITE AREA : 57,045 SF (1.29 AC)  
 BLDG AREA : 7,000 SF (REST)  
 LOT CVG. : 13%  
 PKG REQD : 5,51,000 -  
 33 SPACES  
 PKG PROVIDED : 33 SPACES

**PAD H**  
 SITE AREA : 66,274 SF (1.51 AC)  
 BLDG AREA : 7,000 SF (REST)  
 LOT CVG. : 11%  
 PKG REQD : 5,51,000 -  
 38 SPACES  
 PKG PROVIDED : 34 SPACES

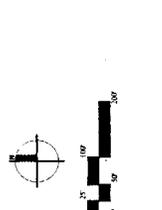
LOOP 202 FREEWAY

PHASE 2  
 LEVELS ABOVE / 1 LEVEL AT GRADE  
 PARKING GARAGE

FUTURE  
 COMMERCIAL SITE  
 (40,000 SF BLDG)

FUTURE  
 HOTEL SITE I  
 (18,432 SF BLDG)

GRADE LEVEL



### SITE DATA

**NET SITE AREA**  
 1,864,761 S.F.  
 (42.87 ACRES)

**BUILDING AREA**  
 444,172 GSF

**GROUND FLR. BUILDING AREA**  
 148,640 GSF

**% COVERAGE (N.I.C. GARAGE)**  
 : 7.8%

**F.A.R.**  
 : 23

**MULTI STORY OFFICE** = 361,414 GSF

**RESTAURANT PADS** = 42,000 GSF

**SHOPS** = 32,448 GSF

**BANK** = 8,310 GSF

**640 SPACES PROV.**  
 773 / 1000 (GSF)

**1694 SPACES PROV.**  
 4.69 / 1000 (GSF)

**+ SHARED**  
 114 SPACES = 808 SPACES

**5307 / 1000 (GSF)**

### OWNER INFORMATION

MEDERIAN WEST  
 1048 N. 4th Street, Suite 207  
 Phoenix, AZ 85018  
 CONTACT: GREG GIBSON

### VICINITY MAP

ASSESSOR'S PARCEL NUMBER : 303-27-024-N

DATE: 01.11.17  
 DDA NUMBER: 968557P

### SHOPS SITE DATA

**SHOPS A**  
 AREA : 44,215 SF (1.01 AC)  
 BLDG AREA : 8,930 SF (NET REST)  
 LOT CVG : 14%  
 PKG REQ'D : 46 SPACES  
 PKG PROVIDED : 51 SPACES

**SHOPS B**  
 SITE AREA : 46,212 SF (1.04 AC)  
 BLDG AREA : 7,967 SF (NET REST)  
 LOT CVG : 15%  
 PKG REQ'D : 43 SPACES  
 PKG PROVIDED : 43 SPACES

**SHOPS C & D**  
 BLDG AREA : 102,985 SF (2.34 AC)  
 LOT CVG : 15%  
 PKG REQ'D : 84 SPACES  
 PKG PROVIDED : 81 SPACES

### OFFICE SITE DATA

**PHASE II OFFICE**  
 BLDG AREA : 280,394 SF (6.43 AC)  
 LOT CVG : 14.79% (GROSS SF)  
 PKG REQ'D : 1,206  
 PKG PROVIDED : 1,119 SPACES

**PHASE III OFFICE**  
 BLDG AREA : 117,103 SF (2.68 AC)  
 LOT CVG : 11% (15% INC. GAR.)  
 PKG REQ'D : 1,179 SPACES (GARAGE)  
 PKG PROVIDED : 623,100 PER GSF

### PHASE II OFFICE

BLDG AREA : 280,394 SF (6.43 AC)  
 LOT CVG : 14.79% (GROSS SF)  
 PKG REQ'D : 1,206  
 PKG PROVIDED : 1,119 SPACES

**PHASE III OFFICE**  
 BLDG AREA : 117,103 SF (2.68 AC)  
 LOT CVG : 11% (15% INC. GAR.)  
 PKG REQ'D : 1,179 SPACES (GARAGE)  
 PKG PROVIDED : 623,100 PER GSF

### OFFICE TOTAL

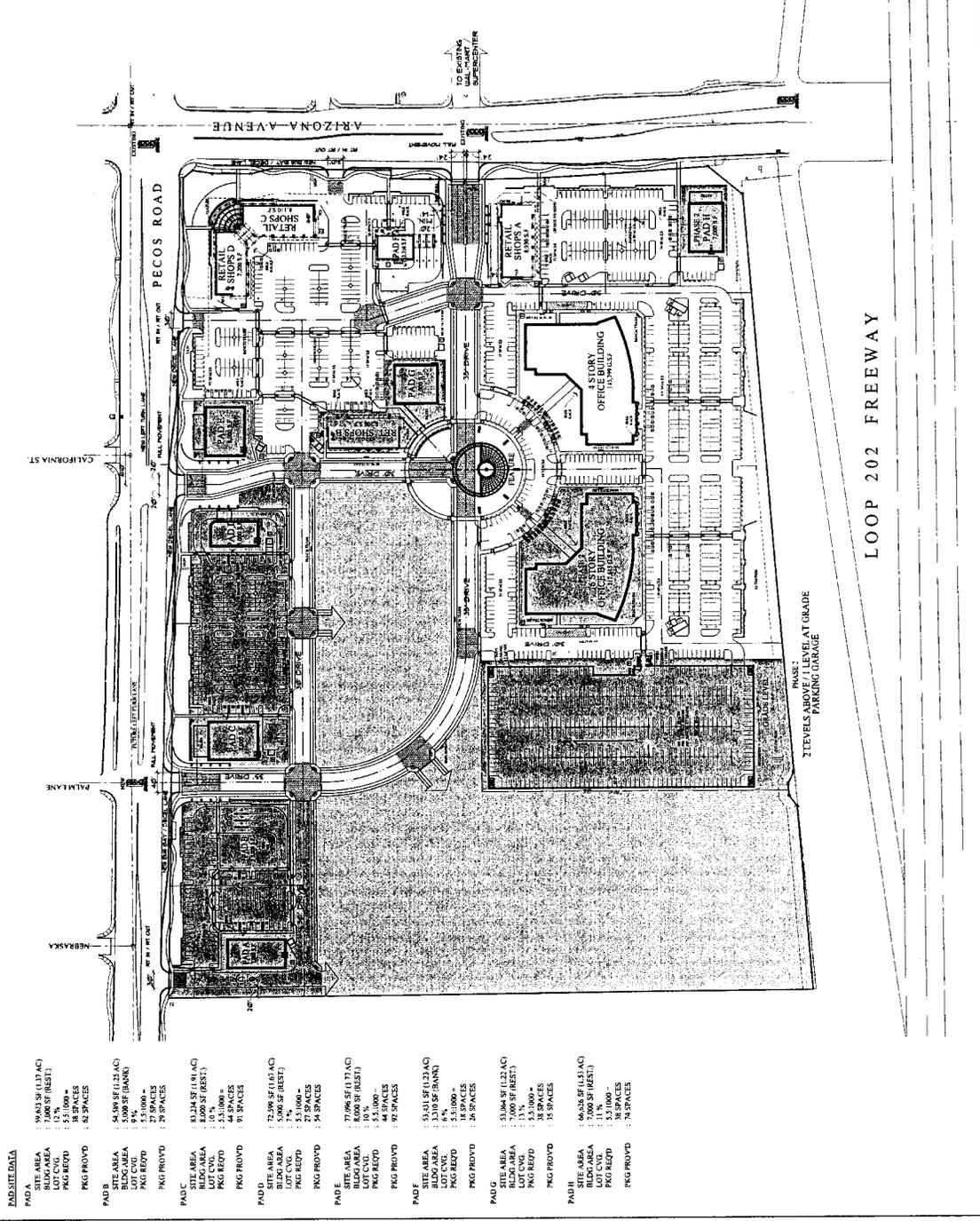
BLDG AREA : 397,497 SF (9.11 AC)  
 LOT CVG : 12.89%  
 PKG REQ'D : 2,385  
 PKG PROVIDED : 1,742 SPACES

**PHASE II OFFICE**  
 BLDG AREA : 280,394 SF (6.43 AC)  
 LOT CVG : 14.79% (GROSS SF)  
 PKG REQ'D : 1,206  
 PKG PROVIDED : 1,119 SPACES

**PHASE III OFFICE**  
 BLDG AREA : 117,103 SF (2.68 AC)  
 LOT CVG : 11% (15% INC. GAR.)  
 PKG REQ'D : 1,179 SPACES (GARAGE)  
 PKG PROVIDED : 623,100 PER GSF

### STORED PKG.

PHASE I : 188 SPACES  
 PHASE II : 188 SPACES  
 PHASE III : 188 SPACES



### PAD SITE DATA

**PAD A**  
 SITE AREA : 9,403 SF (0.21 AC)  
 BLDG AREA : 1,700 SF (REST)  
 LOT CVG : 12%  
 PKG REQ'D : 53,100  
 PKG PROVIDED : 62 SPACES

**PAD B**  
 SITE AREA : 54,589 SF (1.25 AC)  
 BLDG AREA : 5,000 SF (BANK)  
 LOT CVG : 10%  
 PKG REQ'D : 53,100  
 PKG PROVIDED : 79 SPACES

**PAD C**  
 SITE AREA : 81,214 SF (1.85 AC)  
 BLDG AREA : 1,700 SF (REST)  
 LOT CVG : 10%  
 PKG REQ'D : 53,100  
 PKG PROVIDED : 91 SPACES

**PAD D**  
 SITE AREA : 72,598 SF (1.67 AC)  
 BLDG AREA : 5,000 SF (BANK)  
 LOT CVG : 10%  
 PKG REQ'D : 53,100  
 PKG PROVIDED : 74 SPACES

**PAD E**  
 SITE AREA : 7,706 SF (0.17 AC)  
 BLDG AREA : 8,200 SF (REST)  
 LOT CVG : 10%  
 PKG REQ'D : 44 SPACES  
 PKG PROVIDED : 44 SPACES

**PAD F**  
 SITE AREA : 53,431 SF (1.22 AC)  
 BLDG AREA : 3,310 SF (BANK)  
 LOT CVG : 10%  
 PKG REQ'D : 53,100  
 PKG PROVIDED : 18 SPACES

**PAD G**  
 SITE AREA : 53,431 SF (1.22 AC)  
 BLDG AREA : 7,400 SF (REST)  
 LOT CVG : 11%  
 PKG REQ'D : 48 SPACES  
 PKG PROVIDED : 18 SPACES

**PAD H**  
 SITE AREA : 66,628 SF (1.53 AC)  
 BLDG AREA : 1,000 SF (REST)  
 LOT CVG : 10%  
 PKG REQ'D : 53,100  
 PKG PROVIDED : 38 SPACES

**CONCEPTUAL LANDSCAPE PLAN**

The entire site will be maintained in accordance with City of Chandler Standards.

60% of all trees will be 2" DBH or larger.

An automatic irrigation system will be installed guaranteeing 100% coverage to all landscape areas.

1/2" White Express Rootz, 2" minimum thickness (submit sample to Landscape Architect for approval). Place in all non-turf rock and non-turf landscape areas.

All earthwork will be done so that all water drains away from sidewalks, structures and will not impede natural drainage easements.

Structures and landscaping within a triangular measured back 10' from property line and 20' along property line on each side of the driveway entrance will be maintained at a minimum height of 2'.

4" x 4" x 12" gravel. Place at all curb cuts and down slopes to prevent erosion. (See Code for quantities and location)

All final landscape plans to meet City of Chandler minimum standards for quantity and type.

**CONCEPTUAL LANDSCAPE LEGEND**

ALL TREES TO BE SPECIFIED BY SPECIFICATIONS UNLESS OTHERWISE NOTED.



**TREES**

Fernandus rufus 'The Grand'

Size: 2" CALIPER

Multi-Trunk

1.5"



Quercus agrifolia

Size: 2" CALIPER

Multi-Trunk

2"



Phoenix dactyloides

Size: 2" CALIPER

Multi-Trunk

2"



Phoenix dactyloides

Size: 2" CALIPER

Multi-Trunk

2"

28 U.O.A.N.

18 U.O.A.N.

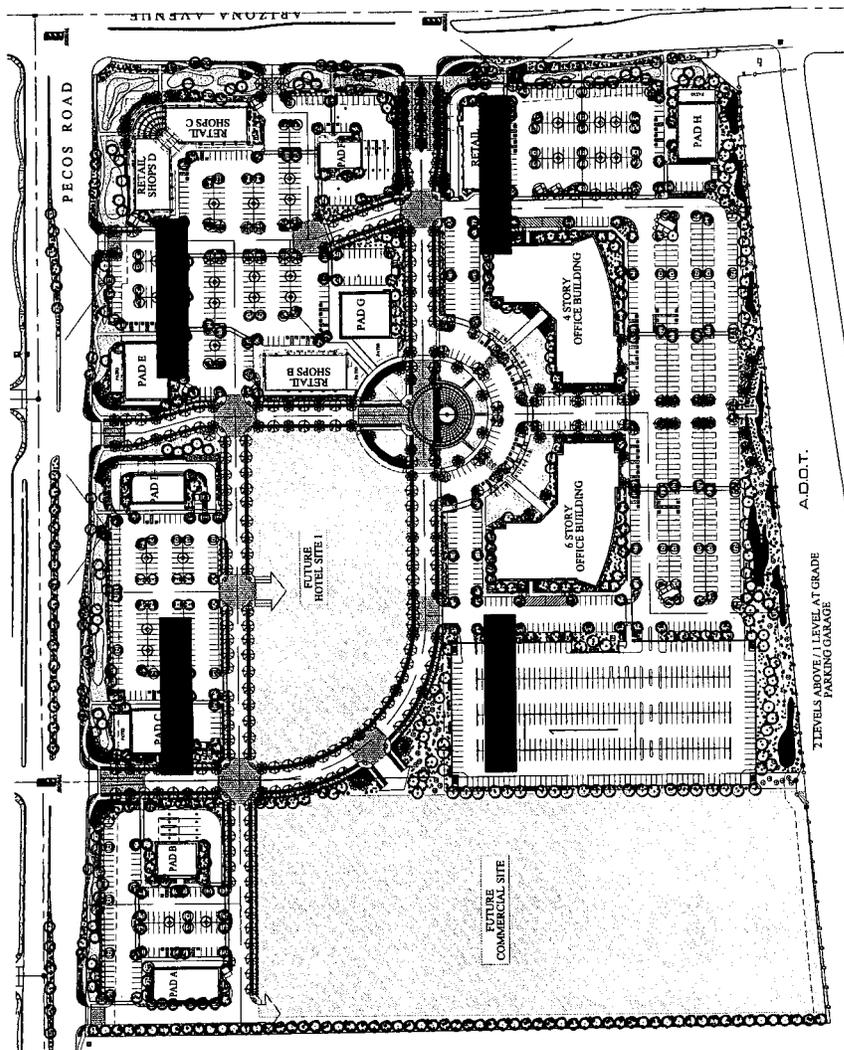
92 Total

**SHRUBS / ACCENTS**

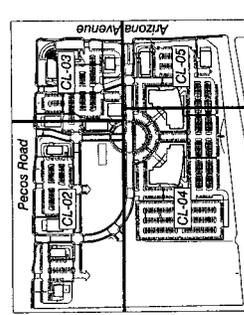
- Green Cloud Sage 5 Gallon
- Fluella Peninsularis 5 Gallon
- Merlot Alexander 'Patio Pink' 5 Gallon
- Castalja Psychotrias 5 Gallon
- Desert Cassia 5 Gallon
- Leucophyllum Langmanii 5 Gallon
- Trilo Brava Sage 5 Gallon
- California California 5 Gallon
- Spirea 'Nana' 5 Gallon
- Yellow Bells 5 Gallon
- Ceanothus Mexicana 15 Gallon
- Mexican Bird of Paradise 15 Gallon
- Ceanothus Pancherrii 5 Gallon
- Yucca Akaloia 5 Gallon
- Spanish Bayonet 5 Gallon
- Desyriothum Longissimum 5 Gallon
- Desert Spoon 5 Gallon
- Hesperaloe Parviflora 5 Gallon
- Desert Wheelbarrow 5 Gallon
- Agave Sp. 5 Gallon
- Agave Sp.

**GROUNDCOVERS**

- Lantana Montevideo 1 Gallon
- Gold Mound / Purple 50/50 mix 1 Gallon
- Convolvulus Cretonum 1 Gallon
- Bush Morning Glory 1 Gallon
- Groundcover 1 Gallon
- Desert Carpet 1 Gallon
- Annuals 4" pots
- seasonal color
- 1/4" Million sod
- Decomposed Granite - 1/2" minus Express Roof
- 2" min. thickness in all landscaped areas
- Header - 6" Concrete Header

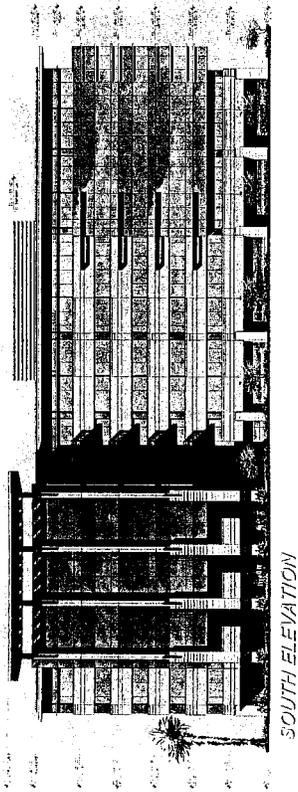


**KEY MAP**

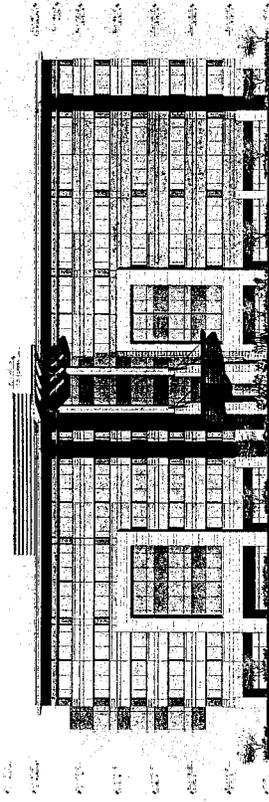


DATE: 04/20/20

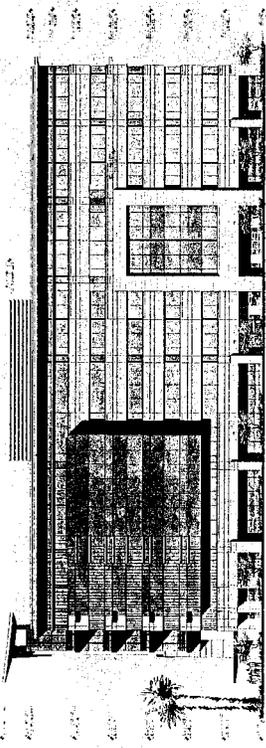
**CONCEPTUAL MASTER LANDSCAPE PLAN**



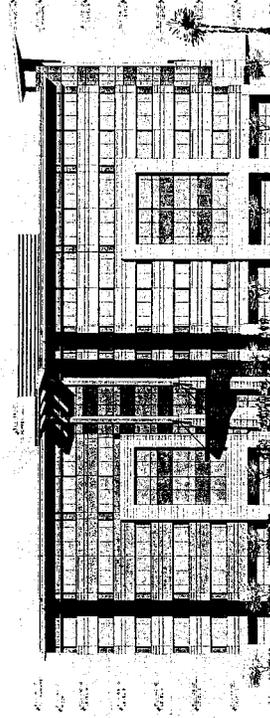
*SOUTH ELEVATION*



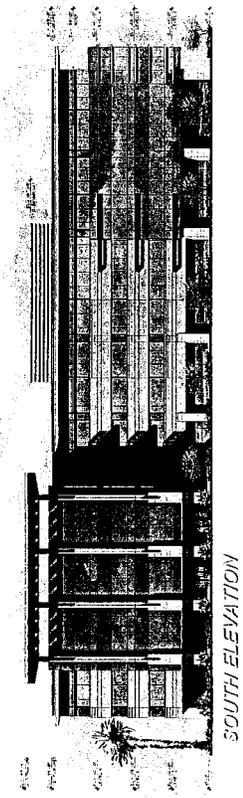
*NORTH ELEVATION*



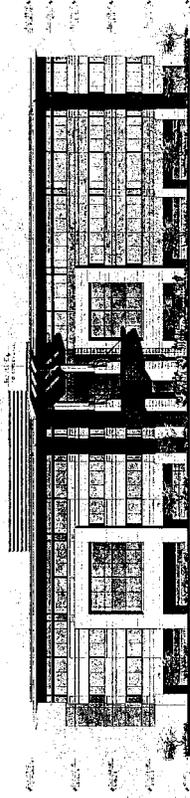
*EAST ELEVATION*



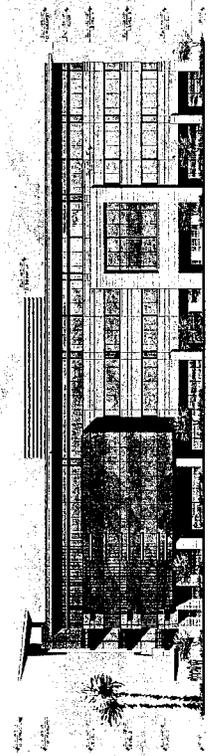
*WEST ELEVATION*



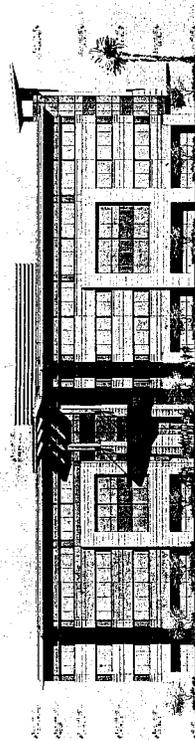
SOUTH ELEVATION



NORTH ELEVATION

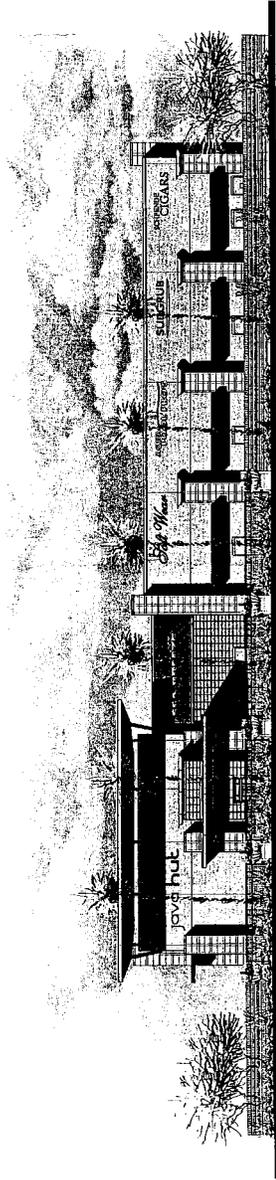


EAST ELEVATION



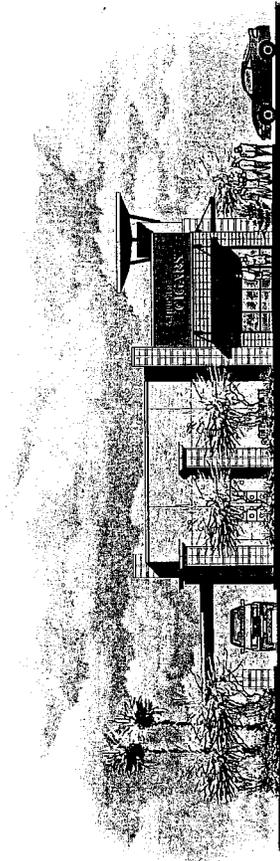
WEST ELEVATION



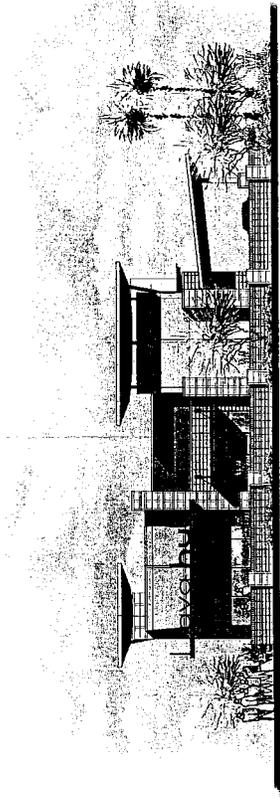


NORTH ELEVATION

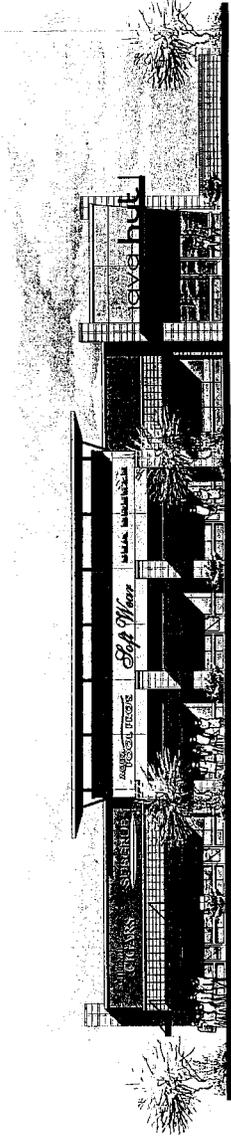
4'-0" HIGH DECORATIVE CHALK SCREEN WALL TO SCREEN DRIVE THRU



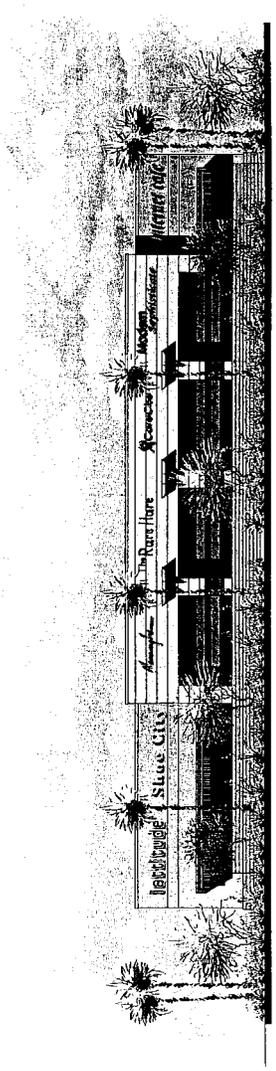
WEST ELEVATION



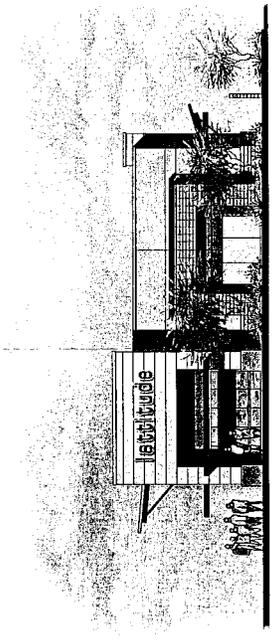
EAST ELEVATION



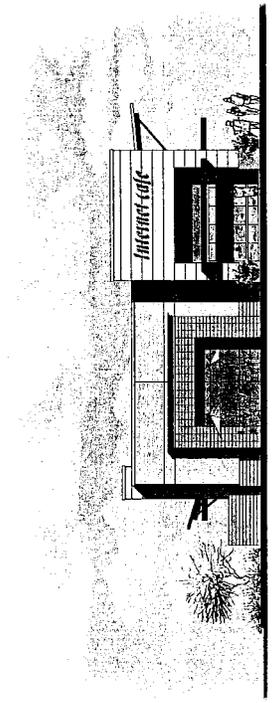
SOUTH ELEVATION



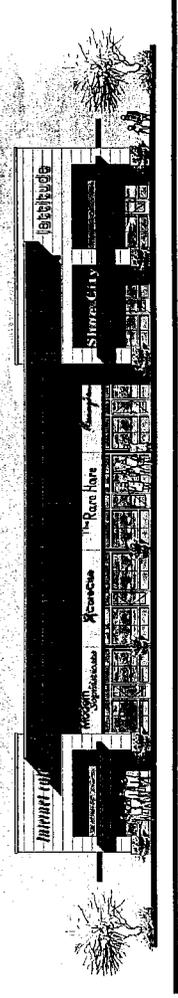
WEST ELEVATION



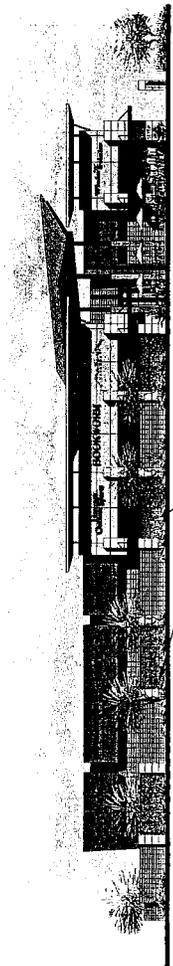
NORTH ELEVATION



SOUTH ELEVATION

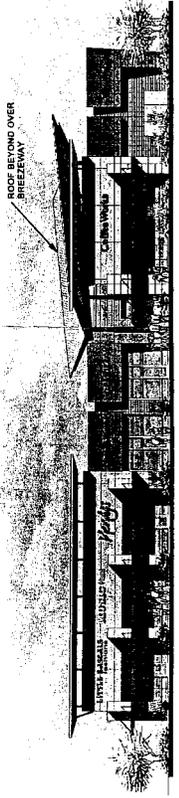


EAST ELEVATION



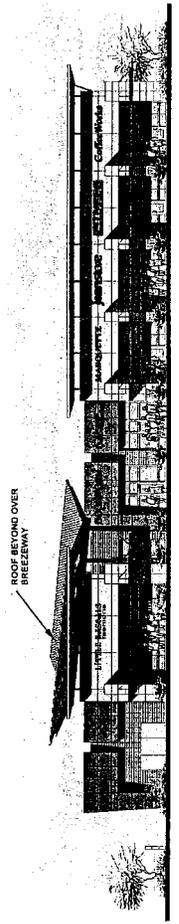
EAST ELEVATION

METAL LATTICE W/  
BOUGAINVILLEA  
(EVERY OTHER PANEL)



SOUTH ELEVATION

ROOF BEYOND OVER  
BREEZEWAY



WEST ELEVATION

ROOF BEYOND OVER  
BREEZEWAY



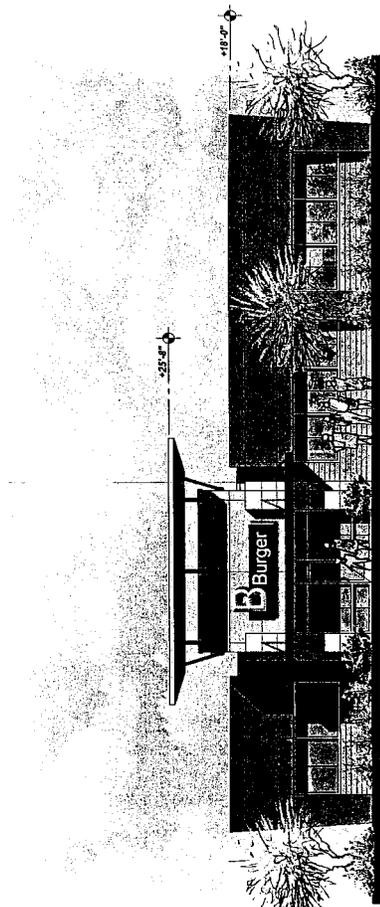
NORTH ELEVATION

DECORATIVE CMU  
SCREEN WALL

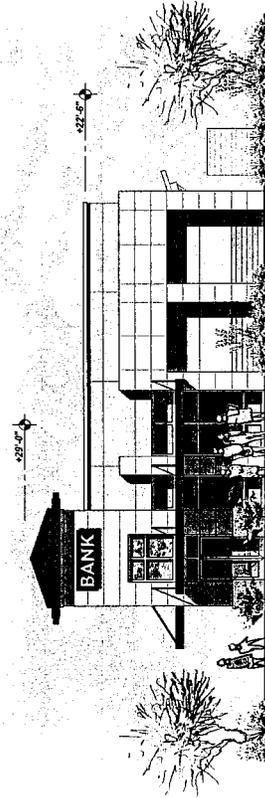
METAL LATTICE W/  
BOUGAINVILLEA  
(EVERY OTHER PANEL)



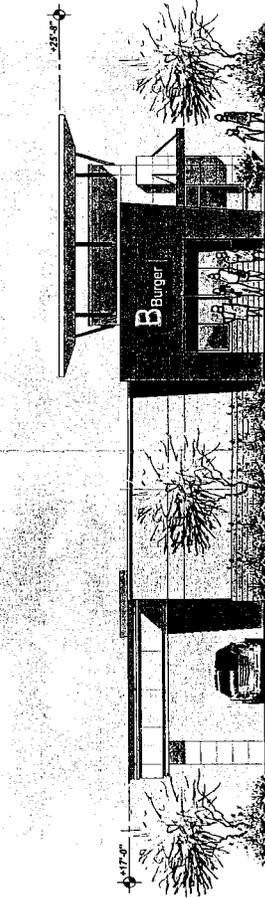
CONCEPTUAL BANK PAD



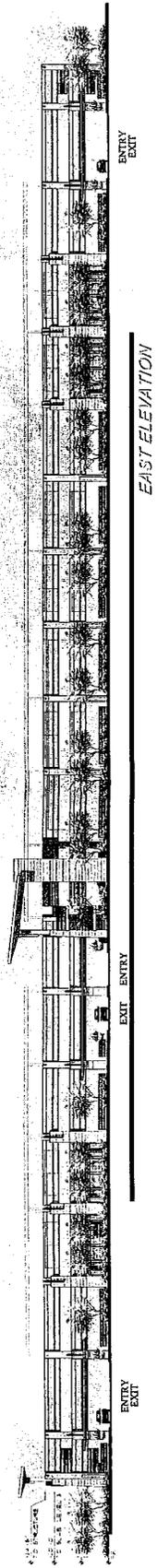
CONCEPTUAL FAST FOOD PAD



CONCEPTUAL BANK PAD



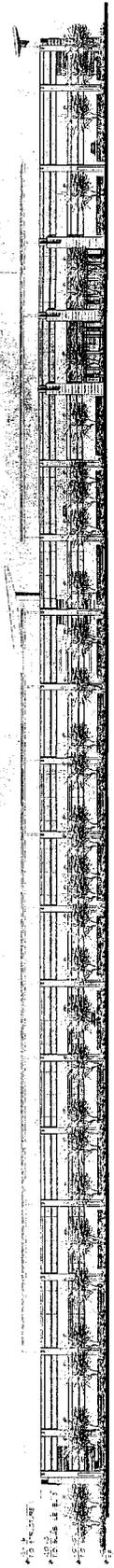
CONCEPTUAL FAST FOOD PAD



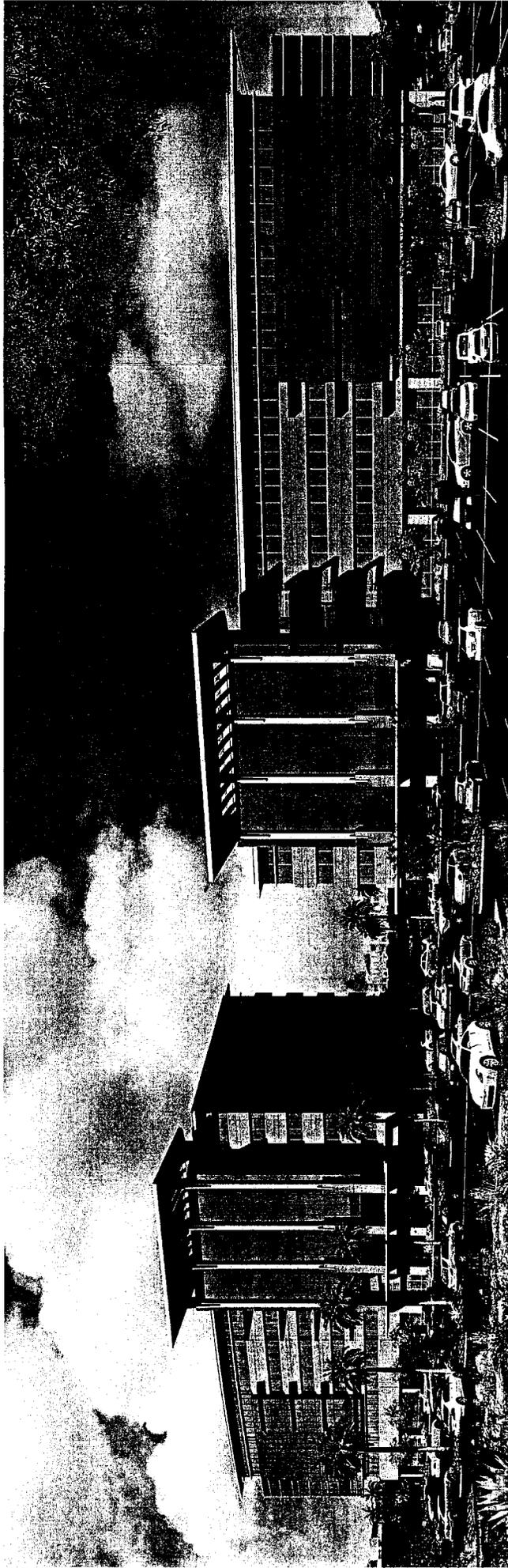
EAST ELEVATION

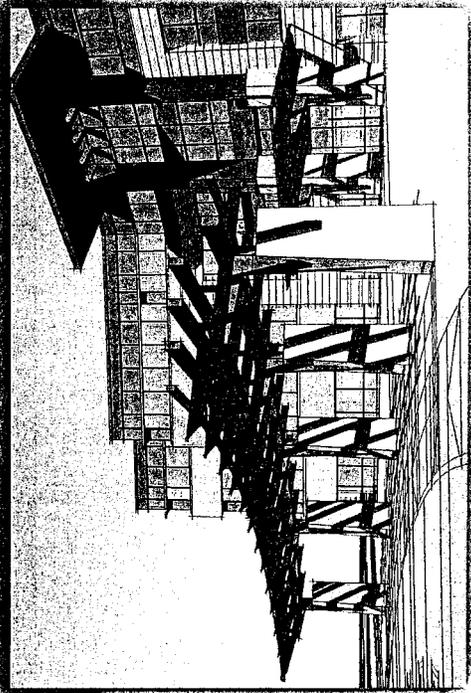
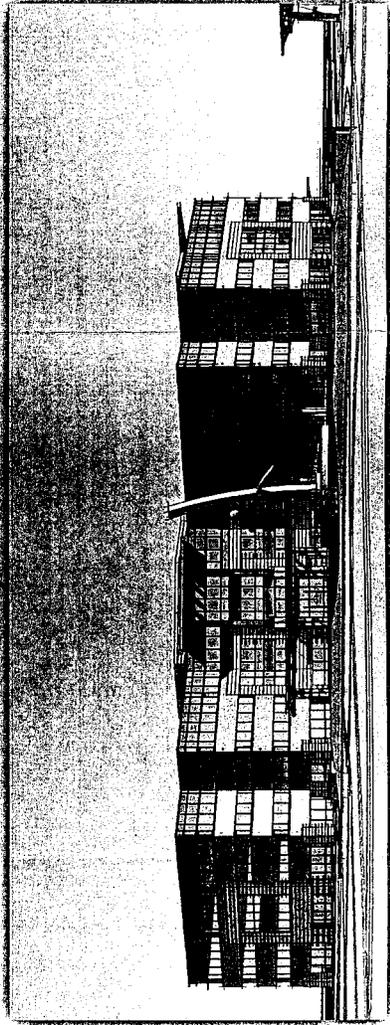
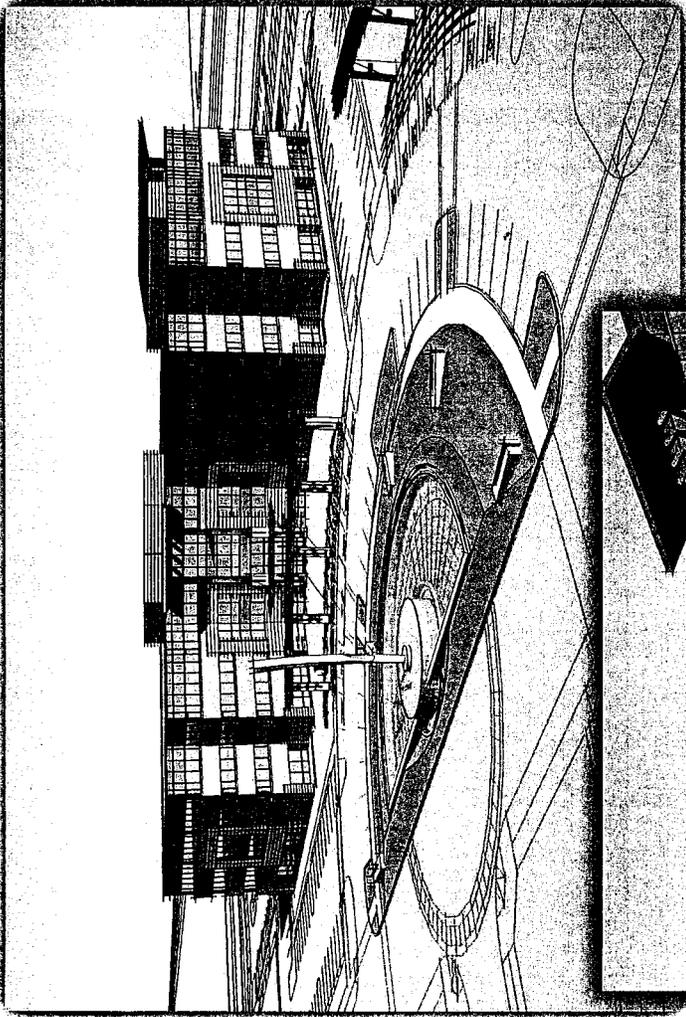
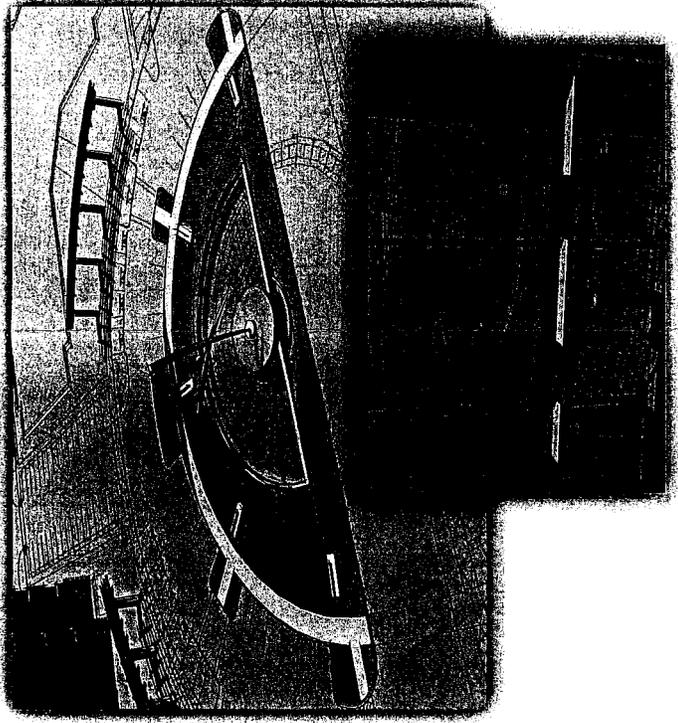


SOUTH ELEVATION



WEST ELEVATION







# [1] Freeway Pylon

There shall be two (2) freeway pylons along the southern border of the project, bordering the north side of the 202 Freeway. This sign type will serve to identify the overall project, as well major tenants and amenities within the site such as hotels.

At a height of sixty-five (65) feet, these stylish pylons will have excellent visibility from all lanes of the freeway.

<b>Sign Type</b>	1
<b>Function</b>	Project and major tenant identification.
<b>Height</b>	65'-0"
<b>Sq. Ft.</b>	ID Lettering - 69 s.f. 4 Tenant Panels at 120.2 s.f. each - 480.8 s.f. Total Sign Area - 549.8 s.f.
<b>Quantity</b>	Two (2)
<b>Illum.</b>	Internal fluorescent and halo
<b>Materials</b>	Aluminum fabrication with masonry base. Dimensional metal letters, and logos. Aluminum accents. Perforated metal tenant area. Paint.
<b>Colors</b>	Structure: DE6328 Anchor Grey Base: Painted to match Davis Colors "Mesquite" concrete Accents: DE 6374 Silver Polish Tenant Panels: DE6374 Silver Polish Tenant ID: Corporate Standards Project ID: DE5485 Russet Green & DEA164 Autumn Bark (or vinyl/acrylic equivalents)



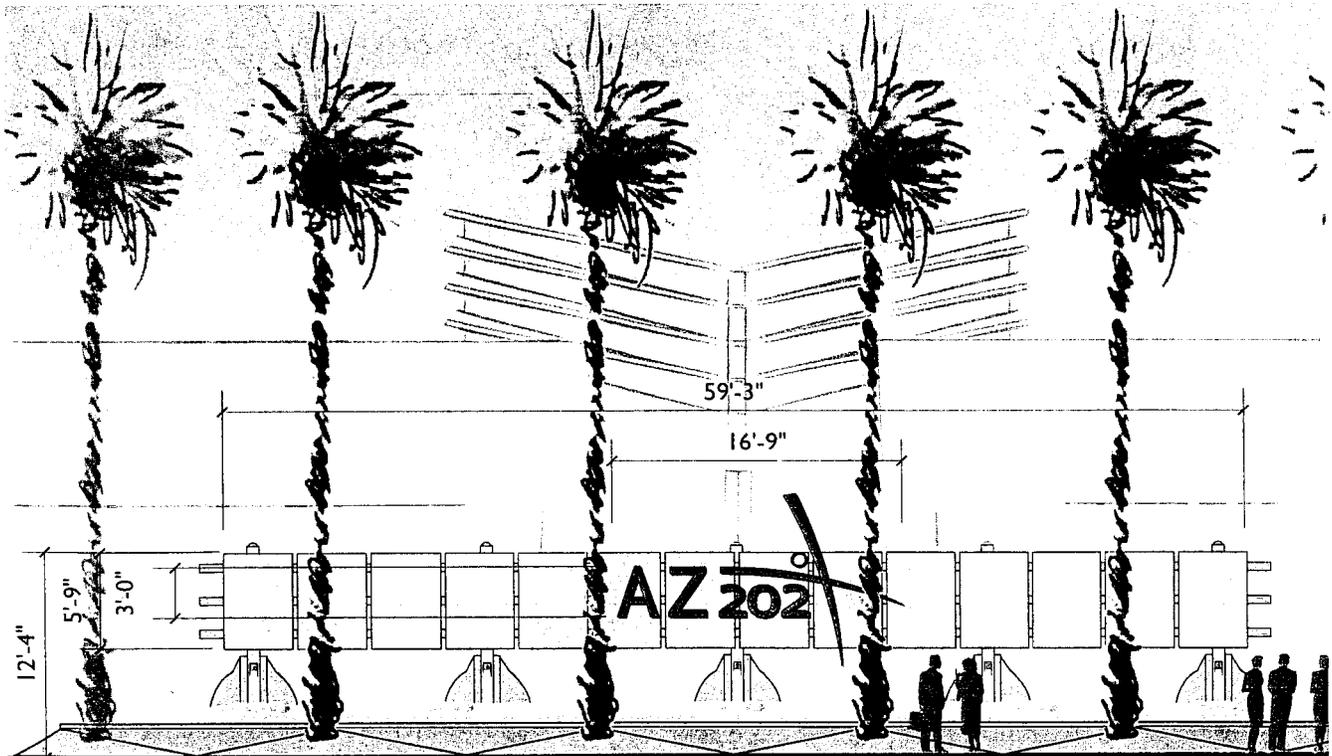
Scale: 3/32" = 1' - 0"

## [2] Project ID / Corner Feature

There shall be one (1) corner feature at the southwestern corner of the Arizona Avenue and Pecos Road intersection. This sign is only to identify the project - no tenants. This sign will be incorporated into a water feature, enhancing the experience of both vehicular and pedestrian traffic.

At a height of just over twelve (12) feet, the corner feature will have good visibility without being overpowered by the surrounding architecture.

<b>Sign Type</b>	2
<b>Function</b>	Project identification.
<b>Height</b>	12'-4"
<b>Sq. Ft.</b>	Lettering - 85 s.f.
<b>Quantity</b>	One (1)
<b>Illum.</b>	Internal and halo
<b>Materials</b>	Perforated metal panels. Dimensional metal and acrylic letters/logo. Lighting behind perforated panels
<b>Colors</b>	Project ID: DE6328 Anchor Grey Panels: DE6374 Silver Polish



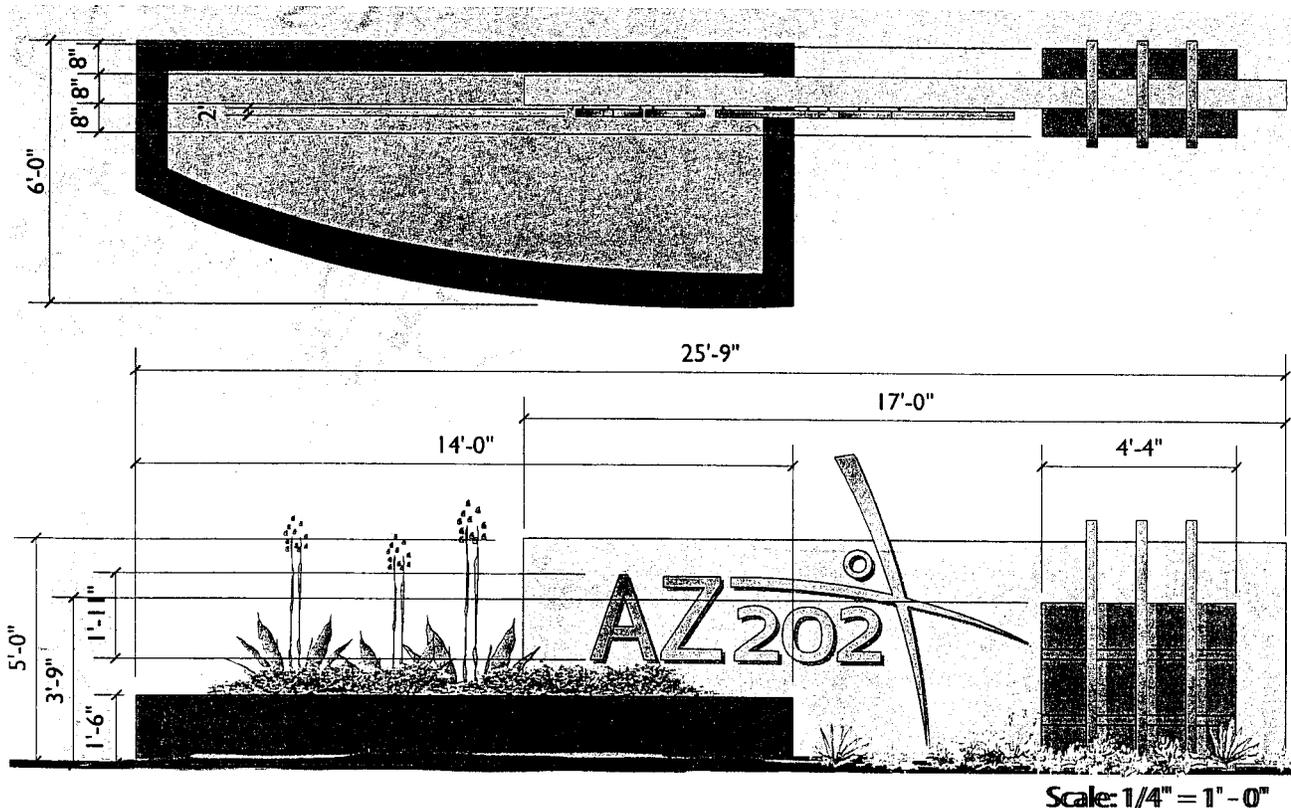
Scale: 3/32" = 1' - 0"

### [3] Project ID / Entry Feature

There shall be five (5) low profile entry monuments at the primary entrances on both Pecos Road and Arizona Avenue, mainly where future traffic signals are planned. These signs will display the project identification.

At five (5) feet, the sign and information are below the maximum height stipulation of six (6) feet.

<b>Sign Type</b>	3
<b>Function</b>	Project identification.
<b>Height</b>	5'-0"
<b>Sq. Ft.</b>	Lettering - Approx. 32 s.f.
<b>Quantity</b>	Five(5)
<b>Illum.</b>	Halo and/or ground up-lit
<b>Materials</b>	Masonry/concrete wall, planter and base. Dimensional metal letters and logos. Aluminum accents. Paint.
<b>Colors</b>	Wall: DE5485 Russet Green Base: Davis Concrete "Mesquite" Accents: DE 6374 Silver Polish Project ID: DE6374 Silver Polish Planter: DE6328 Anchor Grey



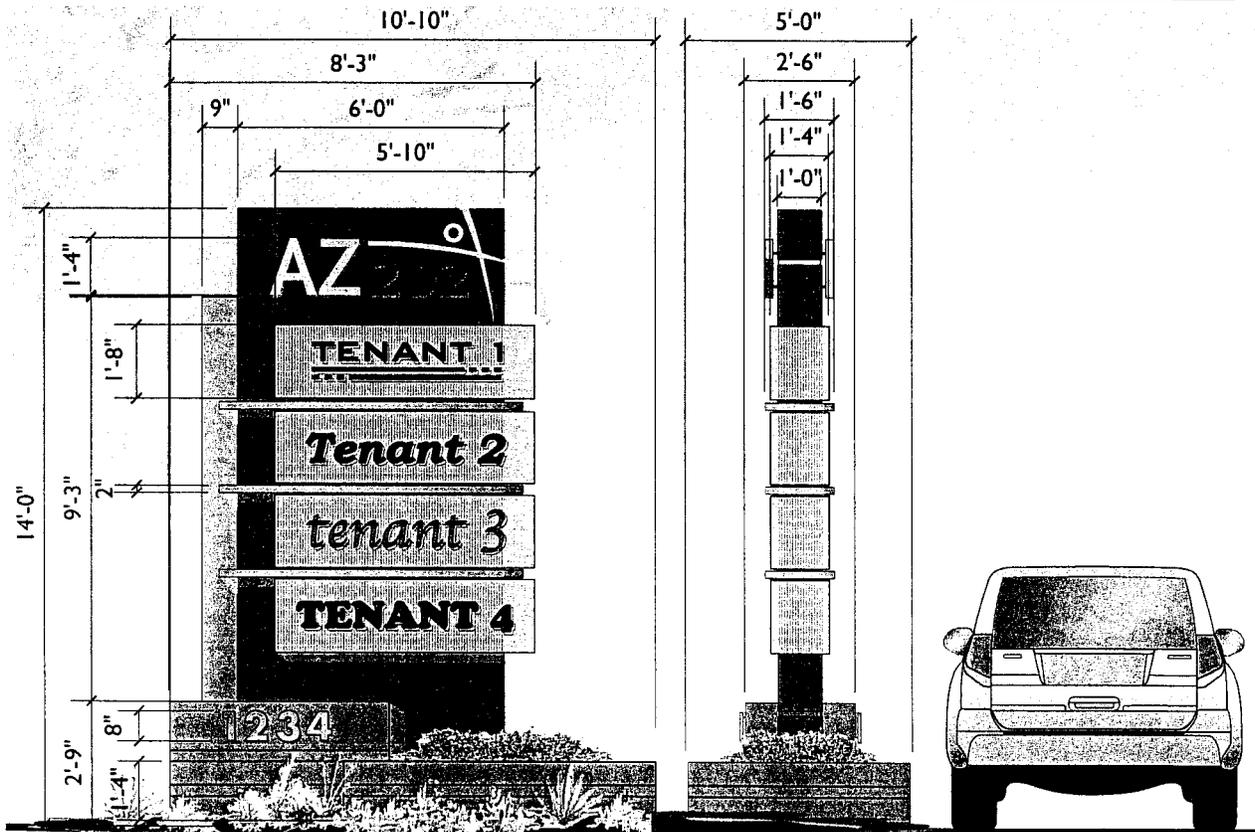
Scale: 1/4" = 1' - 0"

### [4a] Primary Multi-Tenant Monument

The primary multi-tenant monument is located near the entries closest to the intersection along Pecos Road and Arizona Avenue. Per code, this sign is at a maximum height of 14'-0", and will display up to four (4) tenants.

This sign pulls elements from the architecture and will be incorporated into the surrounding landscaping.

<b>Sign Type</b>	4a
<b>Function</b>	Development identification with four (4) retail/commercial tenant identification panels.
<b>Height</b>	14'-0" to top of sign area
<b>Sq. Ft.</b>	Project ID - 6.3 s.f. Tenants - 4 at 9.7 s.f. each Total 45.2 s.f.
<b>Quantity</b>	Two (2)
<b>Illum.</b>	Internal fluorescent and halo
<b>Materials</b>	Aluminum fabrication with masonry base. Dimensional metal letters, logos and addressing. Aluminum accents. Perforated metal tenant area. Paint.
<b>Colors</b>	Structure: DE6328 Anchor Grey Base/Planter: Davis Concrete "Mesquite" Tenant ID/Accents: DE 6374 Silver Polish Tenant ID: Corporate Standards Project ID: DE5485 Russet Green & DEA164 Autumn Bark (or vinyl/acrylic equivalents)



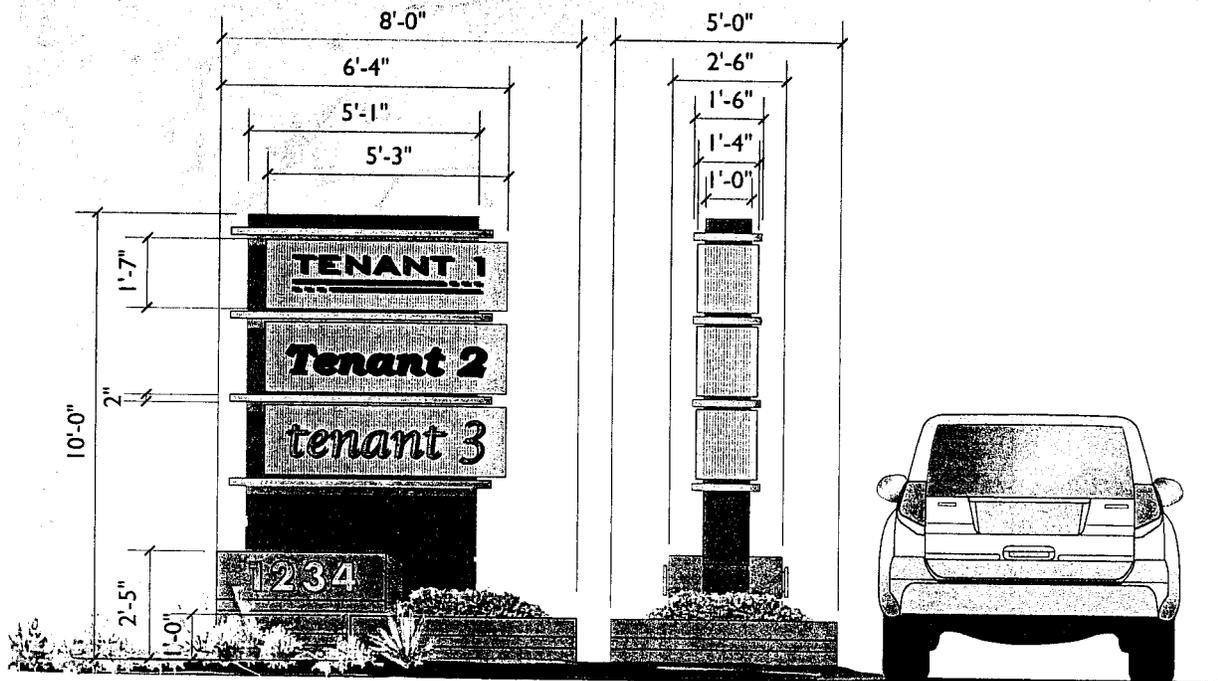
Scale: 1/4" = 1' - 0"

## [4b] Secondary Multi-Tenant Monument

The secondary multi-tenant monuments are located along Pecos Road and Arizona Avenue. Per code, this sign is at a maximum height of 10'-0". There will be no project identification on this sign. However, project addressing and up to three (3) tenants will be displayed.

This sign pulls elements from the architecture and will be incorporated into the surrounding landscaping.

<b>Sign Type</b>	4b
<b>Function</b>	Maximum of three (3) retail/commercial tenant identification panels.
<b>Height</b>	10'-0" to top of sign area
<b>Sq. Ft.</b>	Tenants - 3 at 8.3 s.f. each Total - 24.9 s.f.
<b>Quantity</b>	Two (2)
<b>Illum.</b>	Internal/face-lit and halo
<b>Materials</b>	Aluminum fabrication with masonry base. Dimensional metal letters, logos and addressing. Brushed aluminum accents. Perforated metal tenant area. Paint.
<b>Colors</b>	Structure: DE6328 Anchor Grey Base/Planter: Davis Concrete "Mesquite" Tenant ID/Accents: DE 6374 Silver Polish Tenant ID: Corporate Standards



Scale: 1/4" = 1' - 0"

## [7] Tenant Wall Signage - Letter Details (retail)

Individual illuminated letters and logos and may include pan channel metal letters with acrylic sign faces, reverse pan channel "backlit" illuminated letters, or any combination thereof as outlined in the matrix per tenant type.

All signage shall be reviewed and approved by the Developer and/or Developer's agents and shall be appropriate to the surrounding building features, environment, and architectural thematic design. Developer and/or Developer's agents and the City of Chandler shall have discretion in varying any provision of these specifications.

### Construction

Individual pan channel letters and logos must be constructed of minimum of .063 aluminum returns. Pan channel letter faces must be a minimum 1/8" Plexiglas, Acrylic or Lexan.

Reverse pan channel letter faces must be a minimum of 1/8" thick aluminum.

No "Channelume," "Letteredge," or similar material will be allowed. Exposed conduits, fasteners, tubing or transformers will not be permitted. All inductors, transformers, or other equipment will be concealed in a water tight condition.

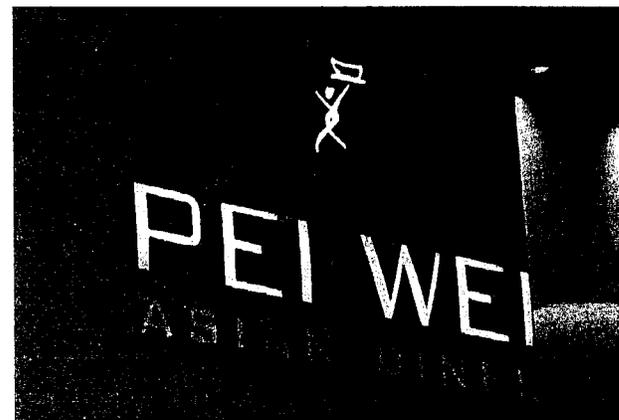
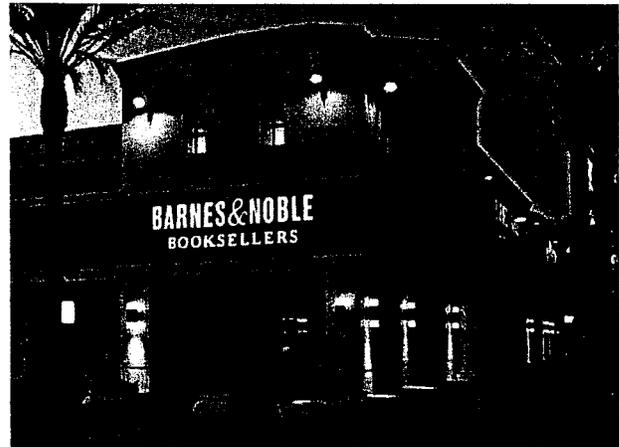
Self-contained letter construction is allowed for Major Tenants with at a maximum of 12" deep.

### Colors

Letter face colors are per Tenant's corporate standards with the exception that no fluorescent colors will be allowed. Retainers for pan channels must match letter face or return color. For National Tenants, returns and retainers may be per corporate standards - however, no gold, silver, copper or brass will be allowed.

### Illumination

Tenant building signage may be internally



## [7] Tenant Wall Signage -3D Panel Details

Alternative signage options to the standard individual letters is the use of "Custom 3-D Panels". These are multiple layered in design with a mix of opaque and translucent backgrounds, various fabrication and illumination methods of lettering, built around a single unit. This type of design and fabrication method provides for ease of installation by connecting to one single J-box on the fascia and protects the building from repeated drilling and wiring for individual letter installations.

All designs will be approved on an individual basis through Developer's discretion. Creative designs and forms, and "Custom" Panel signs are encouraged. Unless as part of a nationally registered and/or trademarked logo, rectangular shaped cabinets are prohibited.

See examples at right for various "Custom 3-D Panel" defined signs, as described below.

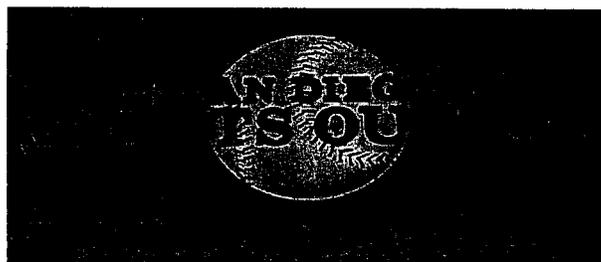
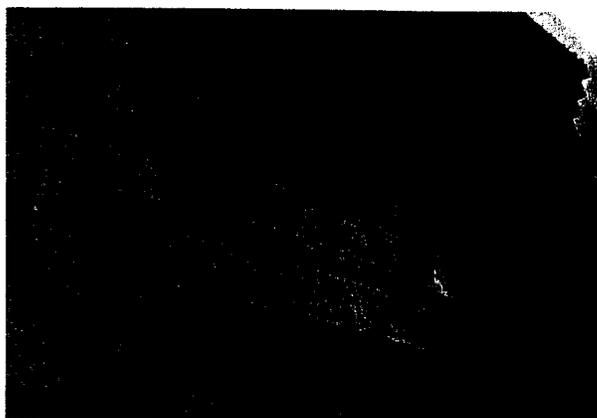
**Galleria Shops** - Individual pan channel letters over layers of custom shapes and banner with routed copy.

**Grazie** - Individual pan channel letters with cut out aluminum panels with routed/backup copy.

**San Diego Sports Outlet** - Individual pan channel letters over custom baseball illuminated cabinet with reverse pan channel halo illuminated graphic backer.

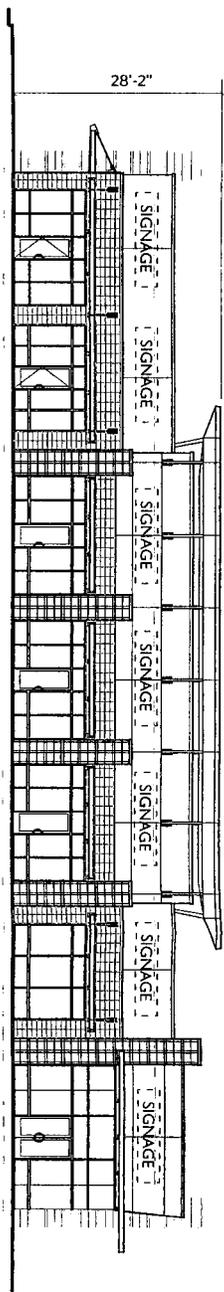
**Whalers Village Museum** - Individual reverse pan channels on custom 3-D cabinet, dimensional whale sculptural ID and banner with routed backup copy.

**Tomato's** - Individual flat cut out planes of distressed metal, halo backlighting with push-thru graphics.

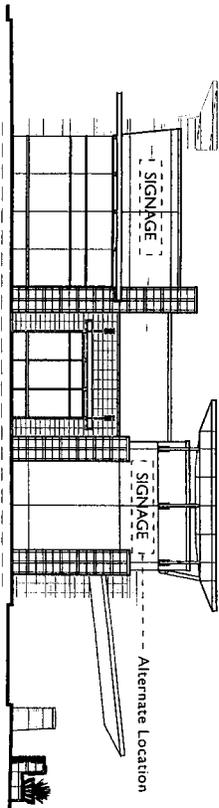


# Wall Sign Locations - Shops A

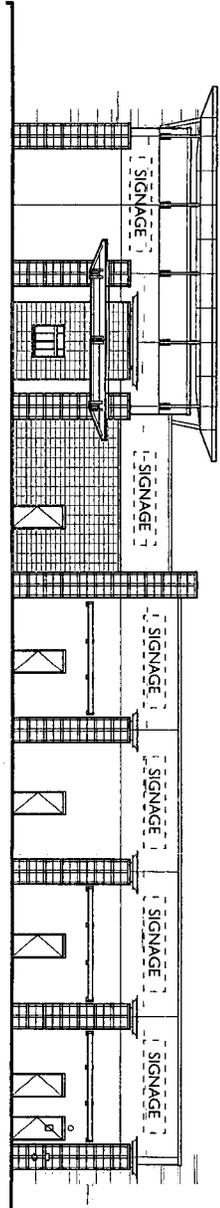
Note - Sign locations shown are merely possible locations illustrated with fictitious tenants. Final locations to be determined upon leasing.



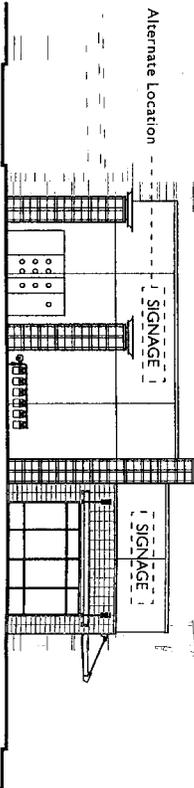
South Elevation



East Elevation



North Elevation

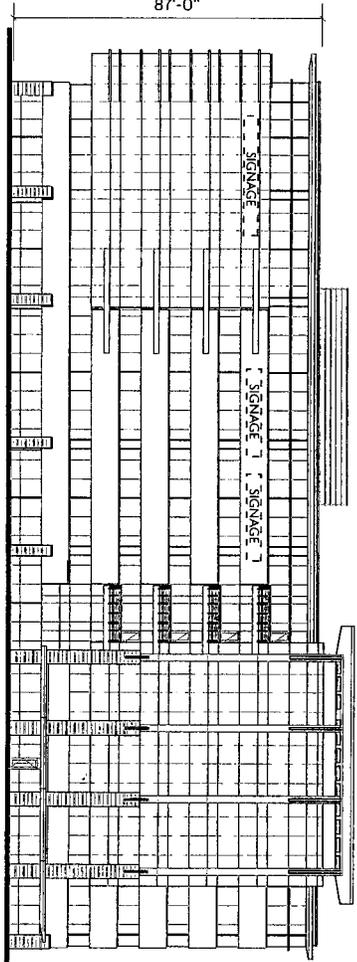


West Elevation

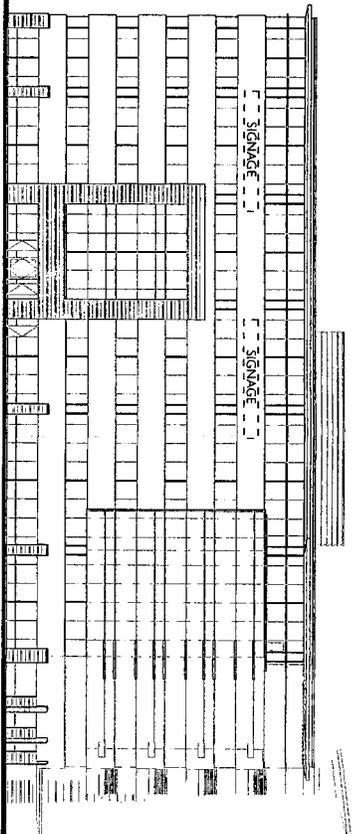
### Wall Sign Locations - 6 Story Office

Note - Sign locations shown are merely possible locations.  
Final locations to be determined by Developer. Total of three (3) signs on the south elevation, and two (2) signs per all other elevations.

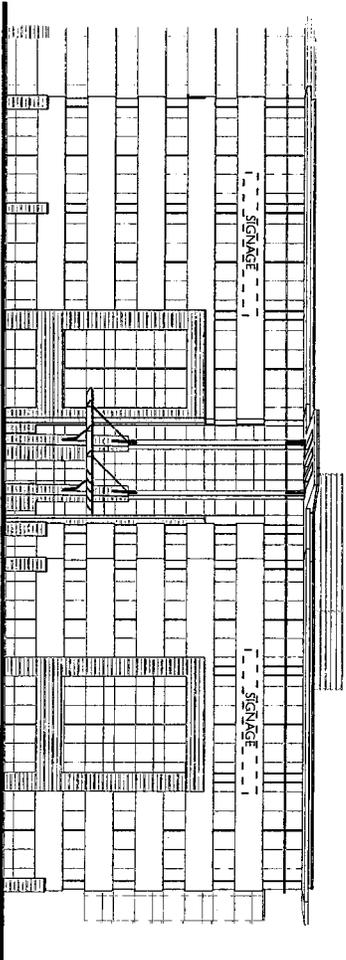
87'-0"



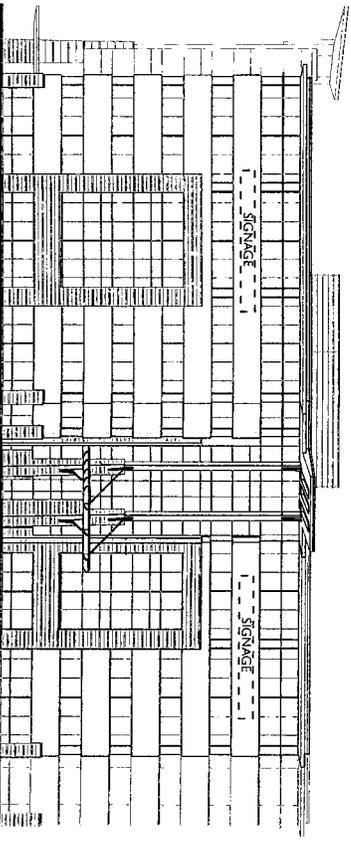
South Elevation



West Elevation



North Elevation

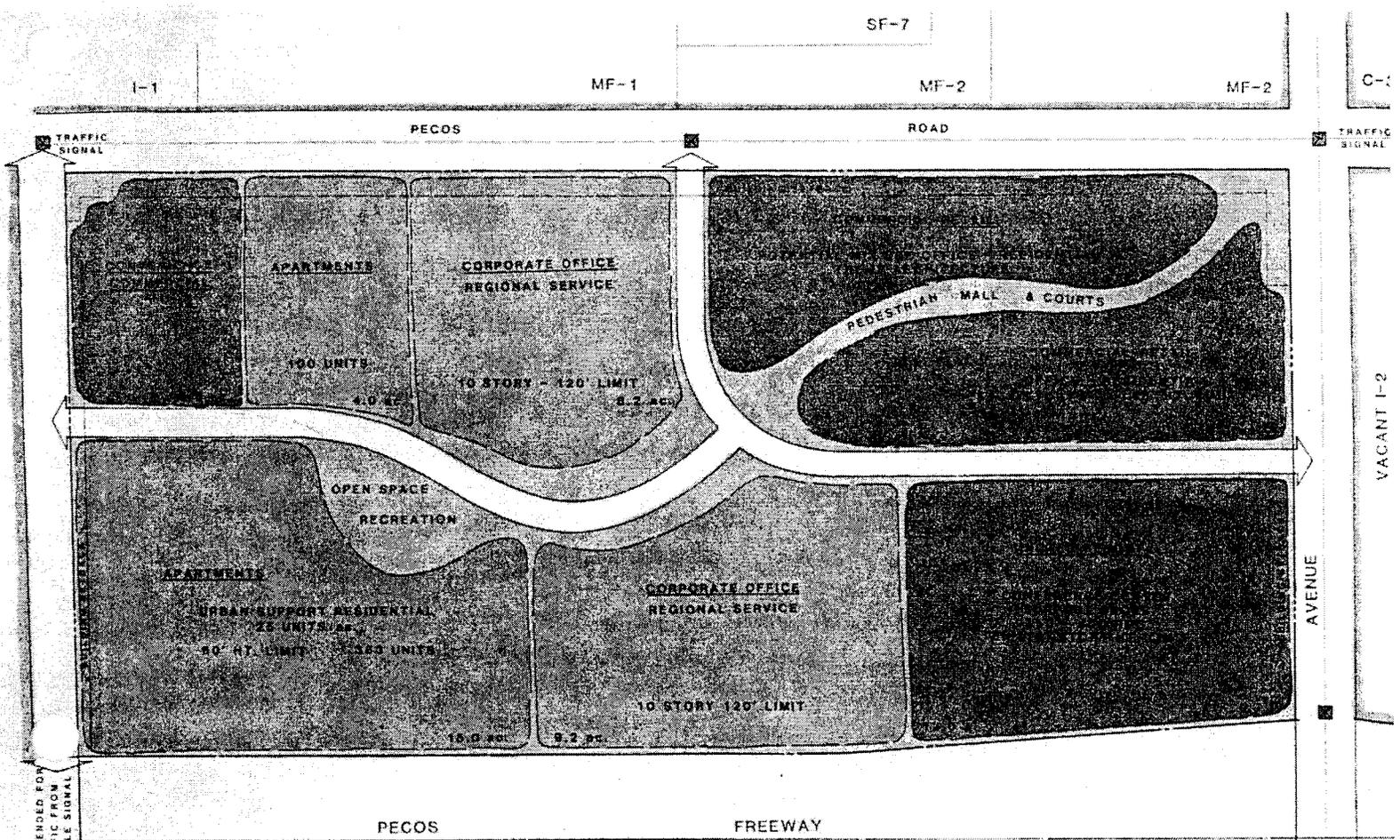


East Elevation







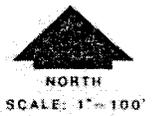


\* OVERPASS RECOMMENDED FOR RESIDENTIAL TRAFFIC FROM S.W. AREA. 1/2 MILE SIGNAL VERY IMPORTANT

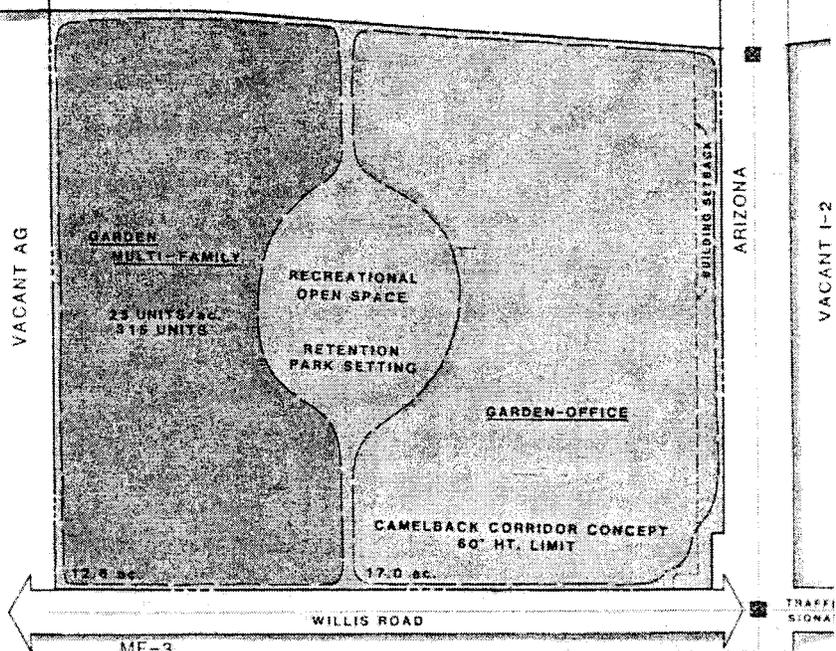
# PECOS PLAZA

## LAND USE ALLOCATIONS

USE	NET ACRES ±	UNITS
COMMERCIAL-RETAIL	15.1	
HOTEL-CONFERENCE-RESORT	12.0	
CONVENIENCE COMMERCIAL	4.0	
CORPORATE OFFICE	17.4	
GARDEN-OFFICE	17.0	
APARTMENTS	19.3	483
GARDEN-MULTI FAMILY	12.6	315
STREETS (INTERNAL)	4.5	
PECOS FREEWAY	17.2	
<b>TOTAL</b>	<b>119.1</b>	<b>798</b>



## PLANNED AREA DEVELOPMENT MASTER LAND USE PLAN



W. N. WALTON & ASSOCIATES, INC.  
SEPTEMBER 1985

1985 285-131



## Mid-Rise Development Policy

*Note: Approved by City Council on April 10, 2006, Resolution No. 3952.*

### **Background**

On May 12, 1985, the Mayor and Council initially adopted the Mid-Rise Development Policy (Ordinance No. 1481, effective 6/12/85), to specify that building heights greater than forty-five (45) feet could only be permitted through the Planned Area Development (PAD) zoning process, at certain types of locations citywide. As the City now proceeds towards its various stages of build-out, it is necessary and advisable to update the policy to be more consistent with the City's current General Plan, major transportation corridors, the downtown area, and other major growth areas as planned.

### **Purpose**

Under the current provisions of the Chandler Zoning Code, building heights greater than forty-five (45) feet are not permitted by right within any zoning district, anywhere in the City, unless expressly provided for by condition or representation of a zoning approval granted for a particular project on a particular site. Hence the purpose of this policy is threefold:

- To continue requiring that mid-rise building heights be considered only through a Planned Area Development (PAD) zoning process;
- To identify general locations and the performance characteristics of projects within the city that might be appropriate for mid-rise development, i.e., within growth areas and others that are consistent with the Chandler General Plan; and
- To identify some basic design considerations to be made by Planning staff, Planning Commission, and City Council, together with neighboring property owners and the developer, when such requests for mid-rise development are submitted for approval.

Note that a site identified as eligible for consideration under this policy does not guarantee that such site will in fact be granted subsequent zoning approval for mid-rise development.

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Form No. UDM-127  
Rev. 4-10-06

**Definition**

For the purposes of this policy, “mid-rise development” is defined as follows:

*“Any building(s) for which the height is greater than forty-five (45) feet as measured from grade, using the definitions of “building height” and “grade” as set forth in the Chandler Zoning Code, Section 35-200, and the height exceptions set forth in Section 35-2201, but excluding any penthouse built on the roof for the sole purpose of housing the mechanical equipment used in the building.”*

**Applicability**

The Mid-Rise Development Policy is triggered by any request to exceed forty-five (45) feet in building height(s), on sites where current zoning does not otherwise allow such heights. Such requests should only be considered through an application requesting or amending a PAD zoning designation, and at a location deemed eligible for consideration under this policy.

In all events, the applicant should present the details of the increased building heights in the submittal for Preliminary Development Plan (PDP) approval, as required in the Zoning Code for PAD designations (Section 35-1700). Public notice of such zoning action and PDP (legal ads, sign postings, project descriptions provided on the City website, and letters to property owners in the area) should all make specific reference to mid-rise building heights, and such project submittals should reflect any input as might be received from prior neighborhood meetings, as applicable to the project being proposed.

This policy is not applicable to any site for which mid-rise development was approved through zoning prior to the effective date of this policy, for as long as such zoning remains in effect. This policy is not applicable to any applications filed with the City requesting mid-rise development prior to the effective date of this policy. Such applications shall be reviewed under the policies in effect at the time the applications were filed.

**Locations Eligible for Consideration (Performance Characteristics)**

It is not the intent of this policy to identify particular sites on a map; doing so would risk omitting some sites that could merit consideration now or in the future, while at the same time include other sites that ultimately are inappropriate or not approvable. Instead, the intent of this policy is to first identify general locations where the potential for vertical development seems most logical, based upon General Plan considerations for future growth, freeway routes as now completed throughout the city, and future redevelopment needs. Hence, those sites falling within the following general locations would be eligible for considering mid-rise development:

- Freeway corridors (except where precluded by existing single-family development, or by other building height restrictions already in place, such as those imposed by FAA regulations in the vicinity of airports); sites located (in whole or in part) within a ¼-mile of the freeway center-line for Interstate 10, Loop 101, or Loop 202, or within a half (1/2) mile of the point where two (2) freeway center-lines intersect (such distance is measured from the property line closest to the freeway);
- Chandler Fashion Mall;
- Gateway Area Plan, as referenced and identified in the 2001 Chandler General Plan (see p. 33, Chandler Land Use Map);
- Chandler Area and Redevelopment Plan, as referenced and identified in the 2001 Chandler General Plan (see p. 53, Conservation, Rehabilitation, and Redevelopment Element, which in turn references the Chandler Redevelopment Element as adopted in July, 1995);
- The South Price Road Campus Employment Corridor, as referenced and identified in the 2001 Chandler General Plan (see p. 33, Chandler Land Use Map);
- Locations designated for Regional Commercial development in the 2001 Chandler General Plan (see p. 33, Chandler Land Use Map).

Secondly, for those projects proposed on sites that don't fall directly within any of the above locations, consideration may still be given if one or more of the following performance characteristics are met (require written documentation):

- (a) **Re-use of land previously developed** for other uses which no longer prove feasible in economic terms, or compatible with their surroundings in land use terms, such as a commercial shopping center at least fifteen (15) years old and characterized by vacancy rates greater than the city-wide average, and by other evidence of underutilization; an industrial site previously developed but no longer in use, and which trigger retrofit and/or environmental clean-up which are not cost effective when compared to new construction; a multiple dwelling residential use (attached dwellings) characterized by chronic violations of City nuisance codes and/or development codes, and where enforcement is hampered further by a rate of absentee ownership greater than the city-wide average.
- (b) The development proposal is consistent with, or in fact **directly embodies, an objective or policy of an adopted area plan, neighborhood plan, or element of the General Plan**, by developing a new land use or expanding an existing use that provides needed viability or long term sustainability. Examples would include (and not be limited to) new residential development that would

stabilize household incomes within a given trade area and increase customer clientele for existing businesses, or create customer demand for additional businesses; employment use(s) that provide new job opportunities for area residents; new recreation, entertainment, public assembly, or other commercial uses that would produce patron or spectator traffic that existing businesses might also capitalize upon.

- (c) An existing development proposes verticality as an economic means of **providing additional amenities, services, or other tangible benefit to users** of the development or to the general public. Examples would include (and not be limited to) adding off-street parking to relieve shortages during peak periods of demand; increasing on-site storm water retention to reduce flooding potential; expanding public or semi-public open space for active or passive enjoyment; providing new vehicular access via dedicated rights-of-way or private drives; street widening that relieves congestion and/or improves traffic safety.
- (d) The development proposal **makes direct, efficient use of, or in fact is dependent upon, existing or committed transportation facilities that serve the project site** such as freeway access, bus rapid transit, light rail, etc., while at the same time its own project intensity is consistent with all City infrastructure capacities, either existing or planned.
- (e) The development proposal provides **a mix of land uses within its own project boundaries that provides a live/work/shop/play environment**, i.e., a project that provides residential dwellings as well as employment opportunities, retail services, and recreational facilities that collectively provide an urban lifestyle alternative and potentially reduce work trips as well as shopping/leisure trips for occupants.
- (f) An **infill proposal** that shares project boundaries with existing development; provides a land use compatible with, or in support of, adjoining uses; makes efficient use of existing street and utility capacities; has reasonable potential to maintain, or perhaps increase, property values in the area; building height(s) are not detrimental to adjoining uses as determined by conformance with the design considerations set forth in this policy.

Again, conformance with the above locations or performance characteristics determines eligibility for considering mid-rise development, but does not assure that zoning approval will ultimately be granted.

**Design Considerations**

Council may approve building height(s) greater than forty-five (45) feet, based upon careful consideration of the land use, site plan, and architecture associated with the given project. To warrant the greater building heights, particular attention should be given to the following items, in conjunction with other considerations customarily made by the Mayor and Council, Planning Commission, Staff, affected owners of property in the area, and the developer relative to a PDP application as required by the Zoning Code:

- (a) A narrative statement from the applicant demonstrating why the mid-rise building heights are appropriate.
- (b) Documentation, either written or graphic, that the greater building height(s) free up more area on-site for open space, pedestrian facilities, or other public amenities. Particular consideration should be given to urban spaces that would be truly open and accessible to those that live or work in the area, and that offer the benefit of public art and architectural amenities.
- (c) Demonstration that the mid-rise development as proposed enables a more innovative or efficient site plan; or that it makes creative use of landscaping, screening, or other land use buffer/transition technique; or that it achieves an overall greater quality of development than would otherwise be possible under the standard requirements of City development codes.
- (d) Project architecture and site design that demonstrates sensitivity to all adjoining land uses relative to (but not necessarily limited to) view corridors; exterior building materials and colors; reflection of sunlight (off building glass and other reflective building surfaces); lighting (intensities, shielding of point sources, movement, etc.); window placements and orientations; window coverings; mechanical equipment; location and orientation of patios, terraces, and decks; exterior signage (whether building-mounted or freestanding); etc. These considerations are particularly important if the subject site adjoins existing single-family development.
- (e) Architectural style, design details, or other articulation technique(s) used in the building(s) that demonstrate sensitivity to building mass, scale, and proportion with respect to the subject site, and to the building(s) and land uses on adjacent site(s).
- (f) As a whole, the development project by virtue of the mid-rise building height(s) creates a positive identity, not only for itself but for the City image as well.
- (g) Findings that if approved, such mid-rise building height(s) would not conflict with the goals, objectives, and other provisions of adopted area plans and development strategies, nor pose a threat to the public health, safety, or welfare of adjoining properties.

**Building Height**

Where proposed, mid-rise development should be consistent with the lower profile, less intensive development pattern that characterizes Chandler today.

- (a) Absent the showing of mitigating circumstances that already exist on or adjacent to the site proposed for mid-rise development, buildings sited three hundred (300) ft.\*\* or less from existing or planned single-family development should not exceed forty-five (45) ft. in height. Subject to approval by the Mayor and Council, such mitigating circumstances may include one (1) or more of the following:
1. Freeway, railroad, or major arterial right-of-way; utility substation; grade differential; or other physical feature(s) or condition(s) not caused by the mid-rise development being proposed;
  2. A mix of multi-family dwellings interspersed with single-family dwellings within the three hundred (300) ft. buffer distance;
  3. Land uses other than single-family either existing or planned within the three hundred (300) ft. buffer distance;
  4. Applying the full three hundred (300) ft. buffer would eliminate most if not all sites, or all developable portions of a given site for mid-rise development, despite otherwise being deemed eligible for consideration under this policy.
- (b) For buildings sited more than three hundred (300) ft.\* from existing or planned single-family development, the maximum building height shall be based upon consideration of land use compatibility, location, site plan, architecture, and performance characteristics of the project as outlined in this policy, and as ultimately approved by the Mayor and Council through the Planned Area Development (PAD) zoning process.

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\* The 300-foot distance shall be the shortest distance measured from the nearest residential property line to the nearest point of the subject building.

**Council Discretion**

Should a site be presented that does not meet any of the locations or performance characteristics of sites deemed eligible for consideration under this policy, and/or the proposed site development exceeds the building height(s) prescribed herein, Council may exercise their legislative discretion under this policy to determine if such site nevertheless possesses characteristics that are similar to those outlined on pages 2-3 of this document, and/or the design considerations outlined on pages 4-5, to still warrant some deliberation and possible approval. For example, a site in close proximity (1/2 mile or less) to the point of intersection of two freeways may warrant building height(s) greater than the maximums otherwise recommended herein.

Under no circumstances should any particular building height be considered a matter of right upon application. Rather, such building height(s) must be earned and justified by the particular circumstances and representations of the project through the zoning and public hearing process, for ultimate approval by the Mayor and Council in the exercise of their legislative discretion.



# Late Hour Business Compatibility Policy

The City of Chandler recognizes the need for certain commercial businesses to operate during late hours, even 24 hours a day, in response to customer needs, business competition, and other considerations. However, the City also recognizes the substantial right of residents whose properties immediately adjoin such commercial uses to be assured the safe, quiet enjoyment of their residences. Hence the purpose of this policy is to set forth some guidelines and considerations for determining, and ultimately achieving, land use compatibility when late hour businesses seek occupancy in close proximity to residential development.

## Definition

For the purpose of this policy, a “late hour business” is defined as follows:

*Any retail store, restaurant, bar, convenience store, gas station, commercial service, entertainment, or drive-thru use that customarily opens its doors to the public, either in whole or in part, one or more hours between midnight and 6:00 AM, one or more days each week.<sup>1</sup> This category shall not include hospitals and medical care facilities, hotels, self-storage uses, offices, industrial uses, transportation services, day care, group homes, construction activities, or utility companies, nor shall this category include any business licensed to sell or serve liquor under the provisions and requirements of the Arizona Revised Statutes Title IV, that close their doors to the public at 2:00 AM and no longer serve their patrons in any manner after 2:30 AM, and is otherwise in conformance with all requirements of the Chandler City Code.*

## Applicability

The Compatibility Policy for Late Hour Businesses is triggered when consideration is being given to any of the following types of applications by Planning Commission, and subsequently City Council, to allow new commercial uses that may include late hour businesses as defined herein, within 300 ft.<sup>2</sup> of existing residential zoning:

- New zoning; or
- Amending an existing commercial zoning designation; or
- New use permit.

The specific zoning districts to which this policy is applied are applications pertaining to any Planned Area Development (PAD) designation for commercial (late hour) uses.

<sup>1</sup> State statutes enable liquor businesses as licensed to sell liquor for on-site or off-site consumption until 2 AM; hence the City cannot impose stipulations or other regulations in conflict with these provisions.

<sup>2</sup> The 300 ft. distance is measured on a straight line from the boundary of the nearest parcel zoned for residential use, to the nearest exterior building wall of the commercial use, where the commercial building is not separated or buffered by an arterial street, freeway, railroad, or other nonresidential building.

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This policy does not apply to any existing late hour business already operating prior to the effective date of this policy, nor does it apply to any zoning approval or Use Permit approval as may have been granted for commercial use(s) prior to the effective date of this policy. However, in the event that an existing commercial site would seek a zoning amendment or a new Use Permit to allow new use(s), then this policy may be applied for the purpose of affecting **subsequent** late hour businesses locating within that center.

This policy is not applicable to Use Permit requests or other zoning applications as may be submitted for sites located within, or immediately adjoining, the CCD (City Center District). The purpose of the CCD as set forth in Section 35-3200 of the Zoning Code is to promote a special character and visual identity distinct from any other area of the City, and limited to accommodate specialty retail, cultural dining, entertainment, and other storefront businesses traditional to a downtown setting. Achieving this type of unique character and limited mix of commercial uses may require considerations in support of extended, and even 24 hour, land uses.

#### **Required Declaration and Notice**

An applicant requesting zoning or Use Permit approval for any commercial use(s) must declare, at the time of filing such application, the intent to allow or not allow late hour business occupancies.

- An application as may be approved for which late hour business occupancies **are not** requested shall be stipulated, "Late hour business occupancies as defined by policy (Resolution No. 3801) shall be prohibited; any future request to allow a late hour business shall be subject to Use Permit approval by Council, upon recommendation by Planning Commission, in accordance with the considerations set forth in this policy."
- An application as may be approved by Council for which late hour business occupancies **are** requested, may be stipulated to allow any and all such occupancies, irrespective of when such use(s) would actually take occupancy and begin operation, or such approval may be limited to certain specified late hour occupancies not to exceed a certain threshold of intensity (e.g., a maximum allowable square footage, parking intensity, occupant load, or other measure as may be determined by the Zoning Administrator). Those uses not approved by right upon the initial application would require subsequent Use Permit approval by Council, upon recommendation by the Planning Commission, all in accordance with the considerations set forth in this policy.

When applicable, notice to adjoining property owners as required by the City Zoning Code for zoning and Use Permit applications, shall indicate that late hour occupancies are being requested.

#### **Compatibility Considerations**

The following compatibility considerations are intended to be **guidelines**, rather than absolute design standards or a "punch-list" of minimum requirements that necessarily guarantees approval by Planning Commission and City Council. Specific design standards would be inappropriate in a policy such as this, to the extent that a design solution that works in one situation may be unacceptable or inadvisable in another. Hence the following list of considerations are to be applied on a case-by-case evaluation of the late hour uses proposed, and the physical characteristics of the commercial site vis-à-vis the adjoining residential property(ies). The intent is that the developer and affected neighbors work through a process that achieves mutually acceptable design solutions or other agreements in the interests of land use compatibility, in direct response to specific issues/concerns.

- **Noise:** Consider noise as may be generated from the late hour use(s) themselves, such as from patrons, mechanical equipment, entertainment (whether indoor or outdoor), loud speakers, etc., or from accessory activities such as car start-ups by employees or patrons, car radios, trash pick-up, delivery vehicles, site maintenance/parking lot sweepers, etc. Consideration might be given to noise containment/attenuation for exterior building walls, relocation or removal of noise sources, muffling devices, or other noise buffering techniques, or possibly rescheduling the noise generating activities to daytime (non-sleeping) hours that are less sensitive.
- **Traffic:** Consider the various forms of traffic to be generated or attracted by the specific use(s), including pedestrian as well as vehicular, and what volumes might be generated during the late hours. Is a drive-thru or take-out service associated with the occupancy(ies), either as primary or accessory uses? Is such traffic confined to the interior of the building or to the property lines of the site, or is there potential for spill-over traffic resulting in off-site parking, pedestrian shortcuts and trespasses? Will vehicles entering/exiting the commercial site cast headlights upon adjoining residences? Are there door locations in the building, or outdoor seating/gathering places for patrons or employees that might impact adjoining residences? Are there potential conflicts between vehicular traffic, pedestrian movements, and other activities related to the building, such as deliveries/unloading, outdoor storage, mechanical equipment, etc., that may affect the quiet and safety of adjoining residences?
- **Light:** Identify the appropriate types of exterior lighting and foot candle level of illumination, to insure adequate visibility of the building exteriors, entrance/exit doors, parking, pedestrian walks, and outdoor seating as appropriate, to insure security without light spilling over to adjoining residences. Consider the height and location of the light sources, whether fixtures are mounted on building(s) or on poles, their orientation and the means of shielding the point source from direct view of residences.
- **Odor:** Identify the sources of odor that may be associated with the use(s), whether primary (emitted from the building through exhaust vents) or incidental (exhaust fumes from vehicles queuing in line at a drive-thru, delivery vehicles idling while unloading, or odors from trash receptacles). Particular attention should be given to restaurants and the degree to which odors exhausted from the kitchen (and/or designated smoking areas) can be scrubbed effectively. Determine the time periods for which odor emissions may be strongest, and the most effective means of containment.
- **Litter:** Consider the byproducts associated with the particular use, such as paper cups, wrappers, containers from a restaurant drive-thru or outdoor dining area; plastic bags from a convenience store, drug or grocery store, etc. Is the nature of the products being retailed such that the customer prior to leaving the premises often discards wrappers or containers? What is the management plan to deal with litter control, such as staffing whose duties include policing the premises on a regular daily basis? Besides aesthetic impacts, will windblown trash likely affect adjoining residential properties (means of confinement on-site)? Is the means of trash containment and capacity adequate to prevent spillovers? If retail uses are being considered, how are shopping carts managed/contained in the parking lot?
- **Site Maintenance:** Consider the times of day designated for trash pick-up, parking lot sweeping, landscape maintenance, etc., vis-à-vis what may be traditional sleeping hours for adjoining residences. What are the noise levels and air exhausts associated with these activities (e.g., dust, air-blown litter, trash, debris, mechanical blowers/vacuums, etc.), and can such effects be fully confined to the site? Is the program for site maintenance consistent with the trash/litter to be generated by certain uses, particularly restaurants, drive-thrus, grocery and convenience stores?

- Security Issues: Does the nature of the late hour occupancies prompt security concerns, and if so, is there a security program proposed to handle such concerns (e.g., on-site supervision/surveillance by store personnel, video cameras, effective on-site lighting for parking lots and other outdoor activity areas, secured entries/exits, etc.)? Do the uses proposed create the likelihood of loitering outside? Are there concerns identified by the Police Department with respect to fights, vandalism, and other crime/nuisance potential associated with either the late hour occupancies, or with the physical design of the premises?

### **Potential Solutions**

There could be any number of physical design techniques, stipulations and agreements to achieve land use compatibility, depending in large part upon the circumstances of the particular situation. Potential solutions include, although not necessarily limited to, fence wall heights; the number, type, location, and planting size of landscape materials; setbacks that might be increased by virtue of incorporating retention basins and the width of service drives; the location, orientation, and method of screening loading docks and bay doors; building orientations and features, including the location of exterior doors, windows, exterior lighting, loudspeakers, etc.; noise attenuation in exterior building walls; grade differential between finished floor elevations; site plan orientations relative to points of vehicular access, building placement(s), and the location of the more disruptive functions, such as loading, vehicle repair, employee parking, outdoor serving areas, materials storage, etc.

Other solutions that are not necessarily related to design might involve restricting certain hours of operation for those uses not otherwise enabled by state statutes (or restricting the hours of using a service drive for other than public safety access); specifying certain maximum square foot floor areas or occupant loads for late hour uses, beyond which another Use Permit or zoning amendment would be required for approval by Council; relocation of certain use(s) to another portion of the site that produces a lesser impact upon adjoining residences; identifying a contact person representing site management to whom residents are enabled to bring subsequent compatibility issues; writing restrictive covenants to be recorded with the commercial site designed to insure compatibility with adjoining residences in response to specific concerns identified.

There may be certain types of late hour occupancies for which the only effective means of achieving land use compatibility are through distance separations. For example, concerns may be greatest for drive-thru and other high turnover/convenience uses located less than 300 ft. from residential zoning, and in particular, the location of such elements as the primary customer entrances/exits, on-site parking for customers and employees, queuing lanes, order boards, intercom speakers, light poles, etc.

Again, as stated elsewhere in this policy, the purpose here is to achieve compatibility between late hour uses and adjoining residences through a process, on a case-by-case basis, that enables affected neighbors to receive notice and express concerns, if any, and to resolve them through techniques that are mutually agreed upon by the parties involved.

***Adopted by City Council 12-16-04***  
***Resolution No. 3801***

**ORDINANCE NO. 3951**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) TO PAD AMENDED (DVR07-0009 AZ 202) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

**SECTION I. Legal Description of Property:**

See Attachment 'A'

Said parcel is hereby rezoned from Planned Area Development (PAD) to PAD Amended subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The

aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
7. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "AZ 202", kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0009, except as modified by condition herein.
8. Approval by the Director of Planning and Development of plans for landscaping and perimeter walls and the Director of Public Works for arterial street median landscaping.
9. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
10. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made

against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the Able Engineering development shall use treated effluent to maintain open space, common areas, and landscape tracts.

11. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
12. Palm trees and associated landscaping shall be provided in the medians adjacent to the project near the intersection of Pecos Road and Arizona Avenue. The landscape design shall be consistent with the median landscaping at the intersection of Chandler Boulevard and Arizona Avenue.
13. Additional shade trees shall be placed in the central fountain area in order to enhance comfort for the pedestrian-oriented seating areas.
14. Any patio additions to Retail Shops B, C, or D or to Pad G must maintain generous public pedestrian spaces and pedestrian pathways of at least six feet in width.
15. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
16. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
17. Applicant will update the Category 1 Traffic Study and identify any necessary improvements to be made.
18. The median break at the driveway across from California Street must be left-in only access, in accordance with City of Chandler Standard Detail No. C-226 as amended to address safety concerns.



**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3951 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *CAB*

PUBLISHED: